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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee*

Rapporteur: Ms. Anzhela **Korneliouk** (Belarus)

I. Introduction

1. At its 9th plenary meeting, on 11 September 2000, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fifth session the item entitled "Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" and to allocate it to the Third Committee.

2. The Third Committee held a substantive debate on sub-item (b) jointly with sub-items (c), (d) and (e) at its 33rd to 44th meetings, from 24 to 27 and on 30 October and on 1 and 2 November 2000, and took up proposals relating to sub-item (b) at its 50th, 52nd to 54th and 56th meetings, from 7 to 10 November. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/55/SR.33-44, 50, 52-54 and 56).

3. For the documents before the Committee under this sub-item, see document A/55/602.

4. At the 33rd meeting, on 24 October, the United Nations High Commissioner for Human Rights made an introductory statement (see A/C.3/55/SR.33).

5. At the same meeting, the Committee engaged in a dialogue with the High Commissioner, in which the representatives of France (on behalf of the States Members of the United Nations that are members of the European Union), Iraq, the Libyan Arab Jamahiriya, the Russian Federation, Chile, Australia, Cuba and Cameroon, as well as the observer for Palestine took part (see A/C.3/55/SR.33).

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6. At the same meeting, the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions made an introductory statement. The Committee engaged in a dialogue with the Special Rapporteur, in which the representatives of Singapore, the Libyan Arab Jamahiriya, France (on behalf of the States Members of the United Nations that are members of the European Union), Kuwait, Egypt, the Democratic Republic of the Congo, the Sudan, the Islamic Republic of Iran and Saudi Arabia took part (see A/C.3/55/SR.33).

7. At the 34th meeting, on 25 October, the Special Rapporteur of the Commission on Human Rights on the question of religious intolerance made an introductory statement. The Committee engaged in a dialogue with the Special Rapporteur, in which the representatives of Armenia, Bangladesh, France (on behalf of the States Members of the United Nations that are members of the European Union), Nigeria, the Libyan Arab Jamahiriya, the United Arab Emirates, Kuwait, Turkey, China, Egypt and Iraq took part (see A/C.3/55/SR.34).

8. At the same meeting, the independent expert on the right to development made an introductory statement. The Committee engaged in a dialogue with the independent expert, in which the representatives of Pakistan, France (on behalf of the States Members of the United Nations that are members of the European Union), Cuba, Viet Nam, Iraq and the Islamic Republic of Iran took part (see A/C.3/55/SR.34).

9. At the 36th meeting, on 26 October, the Director of the New York Office of the United Nations High Commissioner for Human Rights made a statement (see A/C.3/55/SR.36).

10. At the same meeting, the Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatment or punishment made an introductory statement. The Committee engaged in the dialogue with the Special Rapporteur, in which the representatives of Cuba, China, Denmark and Iraq took part (see A/C.3/55/SR.36).

II. Consideration of proposals

A. Draft resolution A/C.3/55/L.34

11. At the 50th meeting, on 7 November, the representative of the Islamic Republic of Iran, on behalf of Afghanistan, Bahrain, Benin, Burundi, China, Cuba, the Democratic Republic of the Congo, Egypt, El Salvador, India, the Islamic Republic of Iran, Kenya, the Libyan Arab Jamahiriya, Malaysia, Morocco, Myanmar, Pakistan, Saudi Arabia, the Sudan, Tajikistan, Uganda and the United Arab Emirates, introduced a draft resolution entitled "Human rights and cultural diversity" (A/C.3/55/L.34). Subsequently, Azerbaijan, Burkina Faso, Chad, the Congo, Indonesia and Oman joined in sponsoring the draft resolution.

12. At the 53rd meeting, on 9 November, the representative of the Islamic Republic of Iran orally revised the draft resolution as follows:

(a) The first preambular paragraph, which read:

"*Recalling* the Universal Declaration of Human Rights and the relevant provisions of the International Covenant on Economic, Social and Cultural

Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child",

was replaced by:

"*Recalling* the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, as well as other pertinent human rights instruments";

(b) A new preambular paragraph was inserted after the seventh preambular paragraph, reading:

"*Recognizing* that all cultures and civilizations share a common set of universal values";

(c) The eighth preambular paragraph, which read:

"*Considering* that tolerance of cultural, ethnic and religious diversities is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world",

was replaced by:

"*Considering* that tolerance of cultural, ethnic and religious diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world";

(d) Operative paragraphs 2 and 3, which read:

"2. *Also affirms* that the international community should make every effort to ensure that the phenomenon of globalization in its entirety promotes respect for cultural diversity as an asset in an increasingly interconnected world vis-à-vis the perceptions and processes that may hamper the integrity of cultural identities which could constitute a threat to peace and partnership among peoples and nations worldwide;

"3. *Further affirms* that inter-cultural dialogue essentially enriches the universality of human rights and that manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world",

were replaced by three paragraphs reading:

"2. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

"3. *Affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

"4. *Also affirms* that inter-cultural dialogue essentially enriches the common understanding of human rights and that the benefits to be derived from the encouragement and development of international contacts and cooperation in the cultural fields are important";

(e) A new operative paragraph was inserted after operative paragraph 6 (former para. 5), reading:

"7. *Also emphasizes* the fact that tolerance and respect for diversity facilitate universal promotion and protection of human rights, including gender equality and the enjoyment of all human rights by all";

(f) Former operative paragraphs 7 and 8, which read:

"7. *Requests* the Secretary-General, in the light of the present resolution, to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, and to submit it to the General Assembly at its fifty-sixth session;

"8. *Also requests* the Secretary-General to take also into account, in the analytical portion of the above-mentioned report to the General Assembly, the considerations of the present resolution on the recognition and importance of cultural diversity among all peoples and nations in the world",

were replaced by one paragraph reading:

"9. *Requests* the Secretary-General, in the light of the present resolution, to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, as well as the considerations in the present resolution regarding the recognition and importance of cultural diversity among all peoples and nations in the world, and to submit it to the General Assembly at its fifty-sixth session".

and the other paragraphs were renumbered accordingly.

13. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.34, as orally revised, without a vote (see para. 94, draft resolution I).

14. After the adoption of the draft resolution, statements were made by the representatives of Canada, Japan and Chile (see A/C.3/55/SR.53).

B. Draft resolution A/C.3/55/L.35

15. At the 52nd meeting, on 8 November, the representative of Mexico, on behalf of Argentina, Armenia, Bangladesh, Bolivia, Brazil, Cape Verde, Colombia, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Honduras, Mexico, Morocco, Nicaragua, Paraguay, Peru, the Philippines, Poland, Portugal, the Russian Federation, Senegal, Sri Lanka, Togo and Uruguay, subsequently joined by Mozambique, introduced a draft resolution entitled "Protection of migrants" (A/C.3/55/L.35).

16. At its 53rd meeting, on 9 November, the Committee adopted draft resolution A/C.3/55/L.35 by a recorded vote of 151 to none, with 9 abstentions (see para. 94, draft resolution II). The voting was as follows:[1]

[1] The delegations of Lesotho and Pakistan subsequently indicated that, had they been present, they would have voted in favour.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

None.

Abstaining:

India, Israel, Jamaica, Kenya, Malaysia, Micronesia (Federated States of), Myanmar, Singapore, United States of America.

17. After the adoption of the draft resolution, a statement was made by the representative of Mexico (see A/C.3/55/SR.53).

18. Before the adoption of the draft resolution, a statement in explanation of vote was made by the representative of the United States of America; after the adoption of the draft resolution a statement in explanation of vote was made by the representative of Singapore (see A/C.3/55/SR.53).

C. Draft resolution A/C.3/55/L.36

19. At the 50th meeting, on 7 November, the representative of Mexico, on behalf of Argentina, Azerbaijan, Bangladesh, Bolivia, Brazil, Cape Verde, Chile, Colombia, Costa Rica, Cuba, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Egypt, El Salvador, Ghana, Guatemala, Honduras, Mexico, Morocco, Nicaragua, Norway, Paraguay, Peru, the Philippines, Portugal, South Africa, Turkey, the United States of America, Uruguay and Venezuela, introduced a draft resolution entitled "Proclamation of 18 December as International Migrants Day" (A/C.3/55/L.36). Subsequently, Belize, Benin, Burkina Faso, Côte d'Ivoire,

Panama, the Republic of Moldova, Senegal, Togo and Yemen joined in sponsoring the draft resolution and the United States of America withdrew as a sponsor of the draft resolution.

20. At its 52nd meeting, on 8 November, the Committee adopted draft resolution A/C.3/55/L.36 without a vote (see para. 94, draft resolution III).

D. Draft resolution A/C.3/55/L.37

21. At the 50th meeting, on 7 November, the representative of Australia, on behalf of Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Cambodia, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Latvia, Lesotho, Liberia, Madagascar, Mali, Malta, the Marshall Islands, Monaco, Mongolia, Morocco, Namibia, Nepal, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, the Philippines, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Rwanda, San Marino, Sierra Leone, Slovenia, Solomon Islands, South Africa, Spain, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Ukraine, the United Republic of Tanzania, the United States of America, Vanuatu and Venezuela, introduced a draft resolution entitled "United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights" (A/C.3/55/L.37). Subsequently, Albania, Azerbaijan, Belize, Bulgaria, Burkina Faso, Burundi, Cameroon, Côte d'Ivoire, Djibouti, the Dominican Republic, Eritrea, Ghana, Guinea, Haiti, Honduras, Jamaica, Malawi, Micronesia (Federated States of), Mozambique, Myanmar, the Niger, Paraguay and Senegal joined in sponsoring the draft resolution.

22. At the 52nd meeting, on 8 November, the representative of Australia orally revised the draft resolution as follows:

(a) In the fourth preambular paragraph, the words "and the implementation of and follow-up to the Vienna Declaration and Programme of Action", which had followed the words "Towards a culture of peace", were moved to follow the words "World Public Information Campaign on Human Rights";

(b) In operative paragraph 15, the words "to ensure that training in human rights is provided for all United Nations personnel and officials" were replaced by the words "to provide training in human rights for all United Nations personnel and officials".

23. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.37, as orally revised, without a vote (see para. 94, draft resolution IV).

E. Draft resolution A/C.3/55/L.39

24. At the 50th meeting, on 7 November, the representative of Japan, on behalf of Andorra, Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein,

Luxembourg, Monaco, the Netherlands, New Zealand, Norway, Portugal, Romania, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, subsequently joined by Malta, introduced a draft resolution entitled "Situation of human rights in Cambodia" (A/C.3/55/L.39).

25. In introducing the draft resolution, the representative of Japan orally revised it as follows:

(a) In operative paragraph 12, the words "international standards such as" were deleted before the words "the principles relating to the status";

(b) A new operative paragraph 19 was inserted, reading:

"19. *Takes note with interest* of the signing by Cambodia of the Rome Statute of the International Criminal Court",

and the subsequent paragraphs were renumbered accordingly.

26. At the 52nd meeting, on 8 November, the Secretary of the Committee read out a statement by the Controller in connection with the draft resolution (see A/C.3/55/SR.52).

27. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.39, as orally revised, without a vote (see para. 94, draft resolution V).

28. After the adoption of the draft resolution, a statement was made by the representative of Cambodia (see A/C.3/55/SR.52).

F. Draft resolution A/C.3/55/L.40

29. At the 50th meeting, on 7 November, the representative of Romania, on behalf of Afghanistan, Andorra, Armenia, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, India, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Monaco, Mongolia, the Netherlands, New Zealand, Nicaragua, Norway, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Promoting and consolidating democracy" (A/C.3/55/L.40). Subsequently, Bangladesh, Bosnia and Herzegovina, Burkina Faso, Cameroon, Fiji, Honduras, Kenya, Madagascar, the Niger, Nigeria, Panama, Sierra Leone and Sri Lanka joined in sponsoring the draft resolution.

30. At the 53rd meeting, on 9 November, the representative of Romania orally revised the draft resolution as follows:

(a) In the second preambular paragraph, the words "*Taking note* of" were replaced by the words "*Bearing in mind*";

(b) A new preambular paragraph was inserted after the sixteenth preambular paragraph, reading:

"*Noting further* the Forum on Emerging Democracies, held at Sana'a, from 27 to 30 June 1999";

(c) A new operative paragraph 1 (b) (vi) was inserted, reading:

"(vi) By taking appropriate measures to eradicate all forms of racism and racial discrimination, xenophobia and related intolerance",

and the subsequent subparagraphs were renumbered accordingly;

(d) In operative paragraph 1 (d) (ii), the words "open to multiple parties" were deleted after the words "universal and equal suffrage"; and the words "with full respect for the right to freedom of association" were added at the end of the paragraph;

(e) In operative paragraph 1 (d) (iv), the words "including appropriate access to funds" were replaced by the words "including appropriate access under the law to funds";

(f) In operative paragraph 1 (e) (iv), the words "mechanisms for the involvement and contribution of civil society" were replaced by the words "mechanisms for consultations with and contribution of civil society";

(g) In operative paragraph 1 (f), after the words "good governance", the words "as referred to in the Millennium Declaration" were inserted;

(h) In operative paragraph 1 (g) (ii), the words "and eliminating poverty" were replaced by the words "and creating an environment that is conducive to development and to the elimination of poverty".

31. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.40, as orally revised, by a recorded vote of 145 to none, with 14 abstentions (see para. 94, draft resolution VI). The voting was as follows:[2]

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Sierra Leone, Singapore, Slovakia,

[2] The delegation of Ghana subsequently indicated that, had it been present, it would have voted in favour.

Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela, Yemen, Yugoslavia, Zimbabwe.

Against:

None.

Abstaining:

Bhutan, China, Cuba, Democratic Republic of the Congo, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Qatar, Saudi Arabia, Swaziland, United Arab Emirates, United Republic of Tanzania, Viet Nam.

32. Before the adoption of the draft resolution, statements were made by the representatives of Romania and Poland (on behalf also of Chile, the Czech Republic, India, Mali, Portugal, the Republic of Korea and the United States of America); after the adoption of the draft resolution, statements were made by the representatives of Hungary, France (on behalf of the States Members of the United Nations that are members of the European Union), Japan (on behalf also of Andorra, Australia, Canada, Norway, New Zealand and San Marino) and Romania (see A/C.3/55/SR.53).

33. Before the adoption of the draft resolution, statements in explanation of vote were made by the representatives of the Libyan Arab Jamahiriya, China and the Sudan; after the adoption of the draft resolution, statements in explanation of vote were made by the representatives of the Islamic Republic of Iran, Egypt, Algeria, Singapore and Viet Nam (see A/C.3/55/SR.53).

G. Draft resolution A/C.3/55/L.41

34. At the 50th meeting, on 7 November, the representative of Ireland, on behalf of Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, India, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Monaco, the Netherlands, New Zealand, Norway, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, introduced a draft resolution entitled "Elimination of all forms of religious intolerance" (A/C.3/55/L.41). Subsequently, Eritrea, Haiti, Honduras and Nicaragua joined in sponsoring the draft resolution.

35. At the 56th meeting, on 10 November, the Secretary of the Committee read out a statement by the Controller in connection with the draft resolution (see A/C.3/55/SR.56).

36. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.41 without a vote (see para. 94, draft resolution VII).

37. Before the adoption of the draft resolution, a statement was made by the representative of Tunisia; after the adoption of the draft resolution, a statement was made by the representative of China (see A/C.3/55/SR.56).

H. Draft resolution A/C.3/55/L.43

38. At the 52nd meeting, on 8 November, the representative of Norway, on behalf of Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Morocco, Nepal, the Netherlands, New Zealand, Nicaragua, the Niger, Norway, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, introduced a draft resolution entitled "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms" (A/C.3/55/L.43). Subsequently, Azerbaijan, Benin, Nigeria, Panama and Turkey joined in sponsoring the draft resolution.

39. At the 53rd meeting, on 9 November, the representative of Norway orally revised the draft resolution as follows:

(a) In the third preambular paragraph, the words "*Welcoming* in this regard" were replaced by the words "*Taking note* of";

(b) In operative paragraph 3, after the words "United Nations agencies and organizations", the words "within their mandates" were inserted;

(c) In operative paragraph 5, the words "*Calls upon* the Commission on Human Rights" were replaced by the words "*Invites* the Commission on Human Rights".

40. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.43, as orally revised, without a vote (see para. 94, draft resolution VIII).

41. Before the adoption of the draft resolution, a statement was made by the representative of Algeria; after the adoption of the draft resolution, a statement was made by the representative of the Syrian Arab Republic (see A/C.3/55/SR.53).

I. Draft resolution A/C.3/55/L.44

42. At the 50th meeting, on 7 November, the representative of Brazil, on behalf of Afghanistan, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Eritrea, Fiji,

Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, the Marshall Islands, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, the Netherlands, New Zealand, Nicaragua, the Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, Venezuela, Zambia and Zimbabwe, introduced a draft resolution entitled "Strengthening of the rule of law" (A/C.3/55/L.44). Subsequently, Burkina Faso, Ethiopia, Malaysia, Mauritius and Solomon Islands joined in sponsoring the draft resolution and Jordan withdrew as a sponsor of the draft resolution.

43. At the 53rd meeting, on 9 November, the representative of Brazil orally revised operative paragraph 9 of the draft resolution by replacing the words "support of financial institutions" with the words "support of the international financial institutions".

44. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.44, as orally revised, without a vote (see para. 94, draft resolution IX).

45. Before the adoption of the draft resolution, a statement was made by the representative of the Libyan Arab Jamahiriya (see A/C.3/55/SR.53).

J. Draft resolution A/C.3/55/L.45

46. At the 50th meeting, on 7 November, the representative of Cuba, on behalf of Bolivia, Cuba, El Salvador, Ghana and Honduras, introduced a draft resolution entitled "Respect for the right to universal freedom of travel and the vital importance of family reunification" (A/C.3/55/L.45).

47. In introducing the draft resolution, the representative of Cuba orally revised it by inserting the words "as well as article 12 of the International Covenant on Civil and Political Rights" at the end of the second preambular paragraph.

48. At its 52nd meeting on 8 November, the Committee adopted draft resolution A/C.3/55/L.45, as orally revised, by a recorded vote of 94 to 2, with 64 abstentions (see para. 94, draft resolution X). The voting was as follows:[3]

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guatemala,

[3] The delegation of Cameroon subsequently indicated that it had intended to vote in favour.

Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Mali, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, United States of America.

Abstaining:

Andorra, Australia, Austria, Azerbaijan, Bahrain, Belgium, Brunei Darussalam, Bulgaria, Cameroon, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan.

49. Before the adoption of the draft resolution, a statement in explanation of vote was made by the representative of Chile; after the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Mexico and the United States of America (see A/C.3/55/SR.52).

K. Draft resolution A/C.3/55/L.46

50. At the 50th meeting, on 7 November, the Committee had before it a draft resolution submitted by Belarus entitled "Human rights and scientific and technological progress", which read:

"*The General Assembly*,

"*Guided* by the purposes and principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and other international instruments relating to human rights,

"*Recalling* the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993,

"*Recalling also* the provisions of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind and that the year 2000 marks the twenty-fifth anniversary of the above-mentioned Declaration,

"*Recalling further* that the results of scientific and technological progress are to be used exclusively in the interest of international peace, for the benefit of humankind and for promoting and encouraging universal respect for human rights and fundamental freedoms, as enshrined in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other human rights international instruments,

"*Conscious* that modern science and technology present the possibility of creating conditions for the prosperity of society and development of the human person,

"*Recognizing* that everyone has the right to enjoy the benefits of scientific progress and its applications and that no individual and no nation must be denied the opportunity to benefit from development,

"*Aware* of the rapid development of the life sciences, and seeking to promote scientific and technical progress in this field in a manner respectful of fundamental rights and for the benefit of all,

"*Noting with concern* that often the achievements of scientific and technological progress, in particular the Internet, are used for the dissemination of information and propaganda of ideas that entail abuse of human rights and fundamental freedoms,

"1. *Calls upon* all Member States to take all necessary measures to ensure that the achievements of scientific and technological progress and the intellectual potential of humankind are used for promoting and encouraging universal respect for human rights and fundamental freedoms;

"2. *Invites* all Member States to implement relevant provisions and principles of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind aimed at the promotion and protection of human rights and fundamental freedoms;

"3. *Urges* the international community, in particular the relevant United Nations bodies, to promote universal access to knowledge and technology in order to facilitate the realization of all human rights;

"4. *Strongly condemns* the use of results of scientific and technological progress and, in particular, the Internet for the dissemination of information and propaganda of ideas that entail abuse of human rights and fundamental freedoms, and calls upon Governments to take appropriate measures to control and to stop these phenomena;

"5. *Decides* to examine this question at its fifty-seventh session under the sub-item entitled 'Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms'."

51. At the same meeting, the representative of Belarus made a statement in which he withdrew the draft resolution (see A/C.3/55/SR.50).

L. Draft resolutions A/C.3/55/L.47 and Rev.1

52. At the 52nd meeting, on 8 November, the representative of Cuba, on behalf of Belarus, Burundi, China, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Guinea, the Islamic Republic of Iran, Iraq, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Myanmar, Namibia, Nigeria, the Russian Federation, the Sudan and the United Republic of Tanzania, introduced a draft resolution entitled "Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of humanitarian character" (A/C.3/55/L.47), which read:

"*The General Assembly*,

"*Recalling* that, in accordance with Article 56 of the Charter of the United Nations, all Member States have pledged themselves to take joint and separate action, in cooperation with the Organization, for the achievement of the purposes set forth in Article 55, including universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"*Recalling also* the Preamble to the Charter of the United Nations, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small,

"*Considering* that the promotion and protection of human rights are a matter of priority for the international community,

"*Considering also* the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter of the United Nations, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity,

"*Recognizing* that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world, as well as to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights,

"*Reaffirming* that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations and that the promotion and protection of all human rights for all are the first responsibility of Governments,

"*Bearing in mind* the various articles of the Charter of the United Nations setting out the respective powers and functions of the General Assembly, the Security Council and the Economic and Social Council,

"*Taking into account* that, in accordance with Article 103 of the Charter of the United Nations, in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail,

"*Recalling* that humanitarian assistance should be provided in accordance with and with due respect for the guiding principles contained in the annex to General Assembly resolution 46/182 of 19 December 1991, and recognizing the importance of the principles of neutrality, humanity and impartiality for the provision of humanitarian assistance,

"1. *Affirms* the solemn commitment of all States to enhance international cooperation in the field of human rights and in the solution to international problems of humanitarian character in full compliance with the Charter of the United Nations, inter alia, by the strict observance of all the principles set forth in its Article 2;

"2. *Stresses* the vital role of the work of United Nations and regional arrangements, acting consistently with the purposes and principles enshrined in the Charter of the United Nations, in promoting and encouraging respect for human rights and for fundamental freedoms, as well as in solving international problems of humanitarian character, and affirms that no State or group of States has the right to intervene unilaterally in any other State, particularly through armed force;

"3. *Calls upon* all States to cooperate fully in the search for peaceful solutions to international problems of humanitarian character and to comply strictly, in their actions towards that purpose, with basic principles and norms of international law, inter alia, through the full respect for international human rights and humanitarian law;

"4. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, organs, bodies and other components of the United Nations system, and intergovernmental and non-governmental organizations and to disseminate it on the widest possible basis;

"5. *Decides* to consider this question at its fifty-sixth session under the item entitled 'Human rights questions'."

53. At its 56th meeting, on 10 November, the Committee had before it a revised draft resolution entitled "Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character" (A/C.3/55/L.47/Rev.1) submitted by the sponsors of draft resolution A/C.3/55/L.47. Subsequently, Chad and Ethiopia joined in sponsoring the revised draft resolution.

54. At the same meeting, the representative of Cuba orally revised draft resolution A/C.3/55/L.47/Rev.1 as follows:

(a) In the eighth preambular paragraph, the word "*Recalling*" was replaced by the word "*Reaffirming*";

(b) Operative paragraph 2, which read:

"2. *Stresses* the vital role of the work of United Nations and regional arrangements, acting consistently with the purposes and principles enshrined in the Charter of the United Nations, in promoting and encouraging respect for human rights and for fundamental freedoms, as well as in solving international problems of humanitarian character, and affirms that no State or group of States has the right to intervene, for any reason whatever, directly or indirectly, in the internal or external affairs of any other State, and, consequently, that armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political economic and cultural elements, are in violation of international law",

was replaced by:

"2. *Stresses* the vital role of the work of United Nations and regional arrangements, acting consistently with the purposes and principles enshrined in the Charter of the United Nations, in promoting and encouraging respect for human rights and for fundamental freedoms, as well as in solving international problems of a humanitarian character, and affirms that all States in these activities must fully comply with the principles set forth in Article 2 of the Charter, in particular respecting the sovereign equality of all States and refraining from the threat or use of force against the territorial integrity or political independence of any State, or acting in any other manner inconsistent with the purposes of the United Nations".

55. Also at the same meeting, the Committee adopted draft resolution A/C.3/55/L.47/Rev.1, as orally revised, by a recorded vote of 78 to 51, with 21 abstentions (see para. 94, draft resolution XI). The voting was as follows:[4]

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Chad, China, Colombia, Comoros, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Sierra Leone, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand,

[4] Subsequently, the delegation of Lesotho indicated that, had it been present, it would have voted in favour; and the delegation of Honduras indicated that it had intended to abstain.

Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Brazil, Cape Verde, Chile, Côte d'Ivoire, Guatemala, Madagascar, Malawi, Malaysia, Mali, Nicaragua, Paraguay, Peru, Philippines, Rwanda, Senegal, Singapore, South Africa, Thailand, Uganda, Uruguay.

56. Before the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Canada, France (on behalf of the States Members of the United Nations that are members of the European Union), Japan (on behalf also of the Republic of Korea) and Australia; after the adoption of the draft resolution, statements in explanation of vote were made by the representatives of New Zealand, the United States of America, Brazil, Argentina and Mali (see A/C.3/55/SR.56).

M. Draft resolutions A/C.3/55/L.48 and Rev.1

57. At the 52nd meeting, on 8 November, the representative of Egypt, on behalf of Afghanistan, Algeria, Angola, Azerbaijan, Bangladesh, Barbados, Benin, Bhutan, Botswana, Burkina Faso, Burundi, China, Côte d'Ivoire, Cuba, the Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, the Gambia, Ghana, Guinea, Indonesia, the Islamic Republic of Iran, Kenya, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Myanmar, Namibia, the Niger, Nigeria, Pakistan, Saint Lucia, Saint Vincent and the Grenadines, Samoa, the Sudan, Suriname, Swaziland, the Syrian Arab Republic, Togo, Uganda, the United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe, introduced a draft resolution entitled "Globalization and its impact on the full enjoyment of all human rights" (A/C.3/55/L.48), which read:

"*The General Assembly*,

"*Guided* by the purposes and principles of the Charter of the United Nations, and expressing in particular the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

"*Recalling* the Universal Declaration of Human Rights, as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,

"*Recalling also* the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

"*Reaffirming* the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

"*Recognizing* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis,

"*Realizing* that globalization affects all countries differently and makes them more susceptible to external developments, positive as well as negative, including in the field of human rights,

"*Realizing also* that globalization is not merely an economic process, but also has social, political, environmental, cultural and legal dimensions which have an impact on the full enjoyment of all human rights,

"*Recognizing* that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

"*Alarmed* over the instability and unpredictability generated by unhampered movement of capital in some countries resulting from the liberalization of capital markets and its extremely negative impact on the full enjoyment of all human rights by peoples of those countries,

"*Emphasizing* that the core value of respect for life, liberty, justice, tolerance and mutual respect as enunciated in the Charter and the Universal Declaration of Human Rights should be guiding objectives of globalization with a human face,

"*Deeply concerned* that the widening gap between the developed and the developing countries has deepened poverty and adversely affected the full enjoyment of all human rights by peoples, particularly in developing countries,

"*Noting* that human beings strive for a world that is respectful of cultures, identities and human rights and that, in that regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

"1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

"2. *Emphasizes* that narrowing the gaps between rich and poor, both within and between all countries, should be the explicit global goal as part of the effort to create an enabling environment for the full enjoyment of all human rights by all peoples and for the eradication of poverty;

"3. *Underlines* therefore the need to analyse the consequences of globalization on the full enjoyment of all human rights;

"4. *Affirms* the importance of establishing an open, rule-based, accountable, predictable, just, equitable, comprehensive, development-oriented and non-discriminatory system of social and economic relations for the full enjoyment of all human rights;

"5. *Expresses concern* that while globalization holds out the promise of prosperity, it brings with it severe challenges for the developing countries and that the promise of prosperity has not touched the vast majority of the world's population, especially in the least developed countries, which affects the economic, social and cultural rights of their people;

"6. *Stresses* that globalization has to be monitored and managed with a view to enhancing its positive impact and alleviating its negative consequences on the enjoyment of all human rights, both at the national and international levels;

"7. *Affirms* that globalization is a complex historical process of structural transformations, with numerous interdisciplinary aspects, and has a direct impact on the enjoyment of civil, political, economic, social and cultural rights, as well as the right to development, at both the national and international levels;

"8. *Takes note* of the preliminary report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights, and requests the Secretary-General to submit a comprehensive report on this subject to the fifth-sixth session of the General Assembly."

58. At the 54th meeting, on 10 November, the Committee had before it a revised draft resolution entitled "Globalization and its impact on the full enjoyment of all human rights" (A/C.3/55/L.48/Rev.1) submitted by the sponsors of draft resolution A/C.3/55/L.48. Subsequently, Cameroon, Guyana, Sierra Leone and the Sudan joined in sponsoring the revised draft resolution.

59. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.48/Rev.1 by a recorded vote of 91 to 44, with 15 abstentions (see para. 94, draft resolution XII). The voting was as follows:[5]

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, China, Comoros, Côte d'Ivoire, Croatia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

[5] Subsequently, the delegation of Lebanon indicated that, had it been present, it would have voted in favour; and the delegation of South Africa indicated that it had intended to vote in favour.

Abstaining:

Albania, Argentina, Armenia, Bolivia, Cambodia, Chile, Colombia, Costa Rica, Guatemala, Paraguay, Peru, Republic of Korea, Singapore, Thailand, Uruguay.

60. Before the adoption of the draft resolution, statements were made by the representatives of the United States of America and Algeria; after the adoption of the draft resolution, a statement was made by the representative of Egypt (see A/C.3/55/SR.54).

61. Before the adoption of the draft resolution, statements in explanation of vote were made by the representatives of France (on behalf of the States Members of the United Nations that are members of the European Union), Canada (on behalf also of Australia, New Zealand, Norway and the Republic of Korea) and Japan (see A/C.3/55/SR.54).

N. Draft resolution A/C.3/55/L.52

62. At the 52nd meeting, on 8 November, the representative of France, on behalf of Andorra, Argentina, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Cuba, Denmark, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Luxembourg, Monaco, Morocco, the Netherlands, Portugal, the Republic of Korea, Romania, San Marino, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Question of enforced or involuntary disappearances" (A/C.3/55/L.52). Subsequently, Australia, Cyprus, Latvia, Liechtenstein, Malta, New Zealand, the Niger, Norway, the Republic of Moldova, Senegal, Sierra Leone and Slovenia joined in sponsoring the draft resolution.

63. At the 56th meeting, on 10 November, the representative of France orally revised the draft resolution by replacing the seventh preambular paragraph, which read:

> "*Welcoming* the fact that acts of enforced disappearance, as defined in the Rome Statute of the International Criminal Court, come within the jurisdiction of the Court as crimes against humanity",

with the following:

> "*Taking note with interest* of the initiatives taken at the national and international levels in order to end impunity".

64. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.52, as orally revised, without a vote (see para. 94, draft resolution XIII).

65. Before the adoption of the draft resolution, statements were made by the representatives of Algeria, Canada and India; after the adoption of the draft resolution, a statement was made by the representative of the Libyan Arab Jamahiriya (see A/C.3/55/SR.56).

O. Draft resolution A/C.3/55/L.53

66. At the 50th meeting, on 7 November, the representative of Cuba, on behalf of Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Cambodia, China, Colombia, Congo, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, El Salvador, Indonesia, the Islamic Republic of Iran, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mexico, Myanmar, Namibia, Nigeria, Peru, Rwanda, the Sudan, Suriname, the Syrian Arab Republic, Viet Nam, Yemen, Zambia and Zimbabwe, introduced a draft resolution entitled "Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity" (A/C.3/55/L.53). Subsequently, Burkina Faso, Ethiopia and Mauritania joined in sponsoring the draft resolution.

67. At its 52nd meeting, on 8 November, the Committee adopted draft resolution A/C.3/55/L.53 without a vote (see para. 94, draft resolution XIV).

P. Draft resolution A/C.3/55/L.54

68. At the 50th meeting, on 7 November, the representative of Belgium, on behalf of Argentina, Armenia, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Canada, Chile, Costa Rica, Cyprus, Ecuador, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Lesotho, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Morocco, Mozambique, New Zealand, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Slovenia, South Africa, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, introduced a draft resolution entitled "Regional arrangements for the promotion and protection of human rights" (A/C.3/55/L.54). Subsequently, Albania, Bosnia and Herzegovina, Cameroon, Croatia, El Salvador, Fiji, Georgia, Honduras, Kenya, Liberia, Madagascar, Norway, Panama, the Republic of Moldova, Senegal, Sierra Leone, Thailand and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

69. In introducing the draft resolution, the representative of Belgium orally revised operative paragraph 4 by replacing the words "protecting the enjoyment of human rights" with the words "protecting all human rights".

70. At the 52nd meeting, on 8 November, the Secretary of the Committee read out a statement by the Controller in connection with the draft resolution (see A/C.3/55/SR.52).

71. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.54, as orally revised, without a vote (see para. 94, draft resolution XV).

Q. Draft resolution A/C.3/55/L.55

72. At the 50th meeting, on 7 November, the representative of Peru, on behalf of Argentina, Austria, Bangladesh, Barbados, Belgium, Benin, Bolivia, Brazil, Burkina Faso, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Denmark, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Egypt, El

Salvador, Eritrea, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Ireland, Israel, Italy, Japan, Jordan, Liberia, the Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Mali, Mexico, Monaco, Mongolia, Morocco, Nepal, the Netherlands, New Zealand, Nicaragua, Nigeria, Pakistan, Panama, Paraguay, Peru, the Philippines, Portugal, the Republic of Korea, Saint Lucia, San Marino, Senegal, South Africa, Spain, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Ukraine, Uruguay, Venezuela and Viet Nam, introduced a draft resolution entitled "Human rights and extreme poverty" (A/C.3/55/L.55). Subsequently, Albania, Antigua and Barbuda, Belarus, Burundi, Cameroon, the Congo, Croatia, Cyprus, Ethiopia, Ghana, Indonesia, Kenya, Malaysia, Malta, Mozambique, the Niger, Norway, the Republic of Moldova, Rwanda, Saint Kitts and Nevis, Sierra Leone, Swaziland, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania joined in sponsoring the draft resolution.

73. At its 52nd meeting, on 8 November, the Committee adopted draft resolution A/C.3/55/L.55 without a vote (see para. 94, draft resolution XVI).

74. After the adoption of the draft resolution, a statement was made by the representative of the United States of America (see A/C.3/55/SR.52).

R. Draft resolutions A/C.3/55/L.56 and Rev.1

75. At the 52nd meeting, on 8 November, the representative of Cuba, on behalf of Algeria, Angola, Benin, Botswana, Burundi, China, the Congo, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, El Salvador, Ethiopia, Ghana, Guinea, Iraq, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Mexico, Nigeria, Pakistan, the Sudan, the Syrian Arab Republic, the United Republic of Tanzania and Viet Nam, introduced a draft resolution entitled "Promotion of a democratic and equitable international order" (A/C.3/55/L.56), which read:

"*The General Assembly*,

"*Noting* the adoption by the Commission on Human Rights of its resolution 2000/62 of 26 April 2000,

"*Reaffirming* the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

"*Affirming* that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter of the United Nations and international law, particularly with full respect for the sovereignty and territorial integrity of States and the non-use of force or the threat of force in international relations,

"*Recalling* the Preamble to the Charter of the United Nations, in particular the determination to reaffirm faith in fundamental human rights, in

the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small,

"*Reaffirming* that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

"*Also reaffirming* the determination expressed in the Preamble to the Charter of the United Nations to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

"*Considering* the major changes taking place on the international scene and the aspirations of all the peoples for an international order based on the principles enshrined in the Charter of the United Nations, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

"*Also considering* that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

"*Reaffirming* that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

"*Emphasizing* that democracy is not only a political concept but also has economic and social dimensions,

"*Recognizing* that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social- and people-centred sustainable development,

"*Underlining* that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based upon common humanity in all its diversity, can globalization be made fully inclusive and equitable,

"*Stressing* that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, which correspond to

the needs of developing countries and economies in transition and are formulated and implemented with their effective participation,

"*Resolved* on the eve of a new century and millennium to take all measures within its power to secure a democratic and equitable international order,

"1. *Affirms* that every person and all peoples are entitled to a democratic and equitable international order;

"2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

"3. *Further affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

"(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

"(b) The right of peoples to permanent sovereignty over their natural wealth and resources;

"(c) The right of every human person and all peoples to development;

"(d) The right of all peoples to peace;

"(e) The promotion of an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

"(f) Solidarity, by virtue of which global challenges must be managed in a way that distributes costs and burdens fairly in accordance with basic principles of equity and social justice, and ensuring that those who suffer or who benefit the least receive help from those who benefit the most;

"(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

"(h) The entitlement of everyone to equal access to international public service for persons from all regions and countries, ensuring an equitable regional and gender-balanced representation;

"(i) The promotion of a free, just, effective and balanced international information and communication order;

"(j) The promotion of cultural cooperation, respecting and protecting the variety and diversity of cultures around the world;

"(k) The entitlement of every person and all peoples to a healthy environment for everyone;

"(l) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

"(m) The entitlement of everyone to ownership of the common heritage of mankind;

"4. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as the respect of national and regional particularities and various historical, cultural and religious backgrounds in the enhancement of international cooperation in the field of human rights;

"5. *Reaffirms* that while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

"6. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

"7. *Recalls* the proclamation by the General Assembly of the determination to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries, and ensure steadily accelerating economic and social development and peace and justice for present and future generations;

"8. *Stresses* the importance of international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

"9. *Reaffirms* that the international community should devise ways and means to remove current obstacles and meet challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

"10. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

"11. *Requests* the Commission on Human Rights, human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to pay due attention, within their respective mandates, to the present resolution and to make contributions for its implementation;

"12. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions,

and non-governmental organizations and to disseminate it on the widest possible basis;

"13. *Decides* to continue consideration of the matter at its fifty-sixth session under the agenda item 'Human rights questions'."

76. At the 56th meeting, on 10 November, the Committee had before it a revised draft resolution entitled "Promotion of a democratic and equitable international order" (A/C.3/55/L.56/Rev.1) submitted by the sponsors of draft resolution A/C.3/55/L.56. Subsequently, Malaysia, Mauritania and Namibia joined in sponsoring the draft resolution and Ghana withdrew as a sponsor of the draft resolution.

77. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.56/Rev.1 by a recorded vote of 91 to 50, with 13 abstentions (see para. 94, draft resolution XVII). The voting was as follows:

In favour:

Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chad, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Philippines, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Cape Verde, Costa Rica, Fiji, Guatemala, Madagascar, Malawi, Morocco, Paraguay, Peru, Rwanda, Senegal, Uruguay.

78. Before the adoption of the draft resolution, statements in explanation of vote were made by the representatives of France (on behalf of the States Members of the United Nations that are members of the European Union) and Japan (on behalf also of Australia, Canada, New Zealand, Norway, the Republic of Korea and the United

States of America); after the adoption of the draft resolution, a statement in explanation of vote was made by the representative of Thailand; subsequently, the representative of Cuba made a statement (see A/C.3/55/SR.56).

S. Draft resolution A/C.3/55/L.57

79. At the 50th meeting, on 7 November, the representative of Botswana, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China and Austria, Botswana, Denmark, France, Ireland, Japan, Mexico, New Zealand, Portugal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "The right to development" (A/C.3/55/L.57). Subsequently, Antigua and Barbuda, Argentina, Australia, Belgium, Brazil, Canada, Costa Rica, Croatia, El Salvador, Finland, Germany, Greece, Italy, Luxembourg, the Netherlands, Norway, and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

80. At the 52nd meeting, on 8 November, the Secretary of the Committee read out a statement by the Controller in connection with the draft resolution (see A/C.3/55/SR.52).

81. At the same meeting, the representative of Botswana orally revised the draft resolution as follows:

(a) The sixteenth preambular paragraph, which read:

"*Recalling* its previous resolutions and taking note of resolution 54/175 of 17 December 1999 relating to the right to development",

was replaced by:

"*Recalling* its resolution 54/175 of 17 December 1999";

(b) In operative paragraph 12, the words

"and welcomes the United Nations Development Programme's *Human Development Report 2000* and the World Bank's *World Development Report 2000/2001: Attacking Poverty*, which cover issues relevant to human rights and the right to development"

were deleted at the end of the paragraph;

(c) A new operative paragraph was inserted after paragraph 13 (former para. 12 bis), reading:

"14. *Further takes note* of the *Human Development Report 2000* of the United Nations Development Programme and the *World Development Report 2000/2001: Attacking Poverty* of the World Bank, which cover issues relevant to human rights and the right to development, and welcomes the participation in the Working Group on the Right to Development of representatives of international financial institutions, as well as that of relevant specialized agencies, funds and programmes and non-governmental organizations, in accordance with the relevant resolutions of the Economic and Social Council",

and the subsequent paragraphs were renumbered accordingly.

82. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.57, as orally revised, without a vote (see para. 94, draft resolution XVIII).

83. Before the adoption of the draft resolution, a statement was made by the representative of Japan, on behalf also of Australia, Canada and New Zealand (see A/C.3/55/SR.52).

T. Draft resolution A/C.3/55/L.58

84. At the 50th meeting, on 7 November, the representative of Botswana, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China, subsequently joined by El Salvador, introduced a draft resolution entitled "Enhancement of international cooperation in the field of human rights" (A/C.3/55/L.58).

85. In introducing the draft resolution, the representative of Botswana orally revised it by deleting operative paragraph 1, which read:

> "1. *Welcomes* the decision of the Commission on Human Rights to continue to consider the enhancement of international cooperation in the field of human rights at its fifty-seventh session",

and renumbering the subsequent paragraphs accordingly.

86. At its 52nd meeting, on 8 November, the Committee adopted draft resolution A/C.3/55/L.58, as orally revised, without a vote (see para. 94, draft resolution XIX).

U. Draft resolution A/C.3/55/L.59

87. At the 50th meeting, on 7 November, the representative of Botswana, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China, introduced a draft resolution entitled "Human rights and unilateral coercive measures" (A/C.3/55/L.59). Subsequently, Antigua and Barbuda joined in sponsoring the draft resolution.

88. At its 52nd meeting, on 8 November, the Committee adopted draft resolution A/C.3/55/L.59 by a recorded vote of 103 to 46, with 8 abstentions (see para. 94, draft resolution XX). The voting was as follows:[3]

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the

Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Azerbaijan, Cameroon, Georgia, Kazakhstan, Republic of Korea, Ukraine, Uzbekistan.

V. Draft resolution A/C.3/55/L.60

89. At the 52nd meeting, on 8 November, the representative of Finland, on behalf of Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Venezuela, introduced a draft resolution entitled "Extrajudicial, summary or arbitrary executions" (A/C.3/55/L.60). Subsequently, Benin and Honduras joined in sponsoring the draft resolution.

90. In introducing the draft resolution, the representative of Finland orally revised it as follows:

(a) In operative paragraph 7, after the word "journalists", the words "and other persons whose right to life has been violated in an extrajudicial, summary or arbitrary manner as illustrated by the Special Rapporteur" were replaced by the words "racially motivated violence leading to the death of the victim as well as other persons whose right to life has been violated";

(b) Operative paragraph 9, which read:

> "9. *Stresses* the importance for States to take effective measures to end impunity with regard to extrajudicial, summary or arbitrary executions through the adoption of preventive measures, and calls upon Governments to ensure that post-conflict peace-building efforts include such measures",

was replaced by:

> "9. *Stresses* the importance for States to take effective measures to end impunity with regard to extrajudicial, summary or arbitrary executions, inter

alia, through the adoption of preventive measures, and calls upon Governments to ensure that such measures are included in post-conflict peace-building efforts";

(c) In operative paragraph 11, the words "and recommends that the Commission at its fifty-seventh session continue her mandate" were deleted at the end of the paragraph;

(d) In operative paragraph 12, the words "*Takes note with appreciation*" were replaced by the word "*Notes*";

(e) In operative paragraph 19, after the words "human rights instruments", the words "including in particular articles 6 and 14 of the International Covenant on Civil and Political Rights" were deleted.

91. At the 53rd meeting, on 9 November, the Secretary of the Committee read out a statement by the Controller in connection with the draft resolution (see A/C.3/55/SR.53).

92. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.60, as orally revised, without a vote (see para. 94, draft resolution XXI).

93. Before the adoption of the draft resolution, a statement was made by the representative of Guyana (on behalf also of Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago); after the adoption of the draft resolution, a statement was made by the representative of the Libyan Arab Jamahiriya (A/C.3/55/SR.53).

III. Recommendations of the Third Committee

89. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Human rights and cultural diversity

The General Assembly,

Recalling the Universal Declaration of Human Rights[6] and the International Covenant on Economic, Social and Cultural Rights,[7] as well as other pertinent human rights instruments,

Noting that numerous instruments within the United Nations system promote cultural diversity, as well as the conservation and development of culture, in particular the Declaration of the Principles of International Culture Cooperation, proclaimed by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fourteenth session,[8]

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[6] Resolution 217 A (III).

[7] See resolution 2200 (XXI), annex.

[8] See the United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Fourteenth Session, Paris, 1966, Resolutions*.

Taking note of the report of the Secretary-General on human rights and cultural diversity,[9]

Welcoming the proclamation of 2001 as the United Nations Year of Dialogue among Civilizations, in accordance with General Assembly resolution 53/22 of 4 November 1998,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Taking into account that a culture of peace actively fosters non-violence and respect for human rights, and strengthens solidarity among peoples and nations and dialogue between cultures,

Recognizing that all cultures and civilizations share a common set of universal values,

Considering that tolerance of cultural, ethnic and religious diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

Recognizing in each culture a dignity and value which deserve recognition, respect and preservation and convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind,

Convinced that the promotion of cultural pluralism, and tolerance towards and dialogue among various cultures and civilizations would contribute to the efforts of all peoples and nations to enrich their cultures and traditions by engaging in a mutually beneficial exchange of knowledge and intellectual, moral and material achievements,

1. *Affirms* the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

2. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

3. *Affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for cultural diversity of all;

[9] A/55/296 and Add.1.

4. *Also affirms* that inter-cultural dialogue essentially enriches the common understanding of human rights and that the benefits to be derived from the encouragement and development of international contacts and cooperation in the cultural fields are important;

5. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural background, advancing the application and enjoyment of universally accepted human rights throughout the world and fostering stable friendly relations among peoples and nations worldwide;

6. *Emphasizes* that the promotion of cultural pluralism and tolerance at the national and international levels is important for enhancing respect for cultural rights and cultural diversity;

7. *Also emphasizes* the fact that tolerance and respect for diversity facilitate the universal promotion and protection of human rights, including gender equality and the enjoyment of all human rights by all;

8. *Calls upon* States, international organizations and United Nations agencies, and invites civil society, including non-governmental organizations, to recognize and promote respect for cultural diversity for the purpose of advancing the objectives of peace, development and universally accepted human rights;

9. *Requests* the Secretary-General, in the light of the present resolution, to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, as well as the considerations in the present resolution regarding the recognition and importance of cultural diversity among all peoples and nations in the world, and to submit it to the General Assembly at its fifty-sixth session;

10. *Decides* to continue the consideration of this question at its fifty-sixth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

Draft resolution II
Protection of migrants

The General Assembly,

Recalling its resolution 54/166 of 17 December 1999,

Considering that the Universal Declaration of Human Rights[10] proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Reaffirming the provisions concerning migrants adopted by the World Conference on Human Rights,[11] the International Conference on Population and

[10] Resolution 217 A (III).

[11] See A/CONF.157/24 (Part I), chap. III.

Development,[12] the World Summit for Social Development[13] and the Fourth World Conference on Women,[14]

Bearing in mind the report of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants,[15]

Taking note of Commission on Human Rights resolution 2000/48 of 25 April 2000, on the human rights of migrants,[16]

Recalling its resolution 40/144 of 13 December 1985, by which it approved the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live,

Recognizing the positive contributions that migrants frequently make, including through their eventual integration into their host society,

Bearing in mind the situation of vulnerability in which migrants frequently find themselves, owing, inter alia, to their absence from their States of origin and to the difficulties that they encounter because of differences of language, custom and culture, as well as the economic and social difficulties and obstacles to their return to their States of origin faced by migrants who are non-documented or in an irregular situation,

Also bearing in mind the need for a focused and consistent approach towards migrants as a specific vulnerable group, in particular migrant women and children,

Deeply concerned about the manifestations of violence, racism, xenophobia and other forms of discrimination and inhuman and degrading treatment against migrants, especially women and children, in different parts of the world,

Underlining the importance of the creation of conditions that foster greater harmony between migrant workers and the rest of the society of the State in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia perpetrated in segments of many societies by individuals or groups against migrants,

Encouraged by the increasing interest of the international community in the effective and full protection of the human rights of all migrants, and underlining the need to make further efforts to ensure respect for the human rights and fundamental freedoms of all migrants,

Taking note with appreciation of the recommendations on strengthening the promotion, protection and implementation of the human rights of migrants of the

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[12] See *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[13] See *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[14] See *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[15] E/CN.4/2000/82.

[16] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

working group of intergovernmental experts on the human rights of migrants[17] established by the Commission on Human Rights,

Noting the efforts made by States to penalize the international trafficking of migrants and to protect the victims of this illegal activity,

Taking note of the decisions of the relevant international juridical bodies on questions relating to migrants, particularly advisory opinion OC-16/99, issued by the Inter-American Court of Human Rights on 1 October 1999, regarding the right to information about consular assistance within the framework of due process guarantees,

1. *Welcomes* the renewed commitment made in the United Nations Millennium Declaration[18] to take measures to ensure respect for and protection of human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies;

2. *Requests* all Member States, in conformity with their respective constitutional systems, effectively to promote and protect the human rights of all migrants, in conformity with the Universal Declaration of Human Rights[10] and the international instruments to which they are party, which may include the International Covenants on Human Rights,[19] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[20] the International Convention on the Elimination of All Forms of Racial Discrimination,[21] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[22] the Convention on the Elimination of All Forms of Discrimination against Women,[23] the Convention on the Rights of the Child[24] and other applicable international human rights instruments;

3. *Strongly condemns* all forms of racial discrimination and xenophobia with regard to access to employment, vocational training, housing, schooling, health services and social services, as well as services intended for use by the public, and welcomes the active role played by governmental and non-governmental organizations in combating racism and assisting individual victims of racist acts, including migrant victims;

4. *Calls upon* all States to review and, where necessary, revise immigration policies with a view to eliminating all discriminatory policies and practices against migrants and to provide specialized training for government policy-making and law enforcement, immigration and other concerned officials, thus underlining the importance of effective action to create conditions that foster greater harmony and tolerance within societies;

5. *Reiterates* the need for all States to protect fully the universally recognized human rights of migrants, especially women and children, regardless of

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[17] E/CN.4/1999/80, paras. 102-124.
[18] Resolution 55/2.
[19] Resolution 2200 A (XXI), annex.
[20] Resolution 39/46, annex.
[21] Resolution 2106 A (XX), annex.
[22] Resolution 45/158, annex.
[23] Resolution 34/180, annex.
[24] Resolution 44/25, annex.

their legal status, and to provide humane treatment, in particular with regard to assistance and protection, including those under the Vienna Convention on Consular Relations,[25] regarding the right to information about receiving consular assistance from the country of origin;

6. *Reaffirms* the responsibility of Governments to safeguard and protect the rights of migrants against illegal or violent acts, in particular acts of racial discrimination and crimes perpetrated with racist or xenophobic motivation by individuals or groups, and urges them to reinforce measures in this regard;

7. *Urges* all States to adopt effective measures to put an end to the arbitrary arrest and detention of migrants, including by individuals or groups;

8. *Requests* all Governments to cooperate fully with the Special Rapporteur of the Commission on Human Rights on the human rights of migrants in the performance of her mandated tasks and duties and to furnish all information requested, including by reacting promptly to her urgent appeals;

9. *Encourages* Member States that have not yet done so to enact domestic criminal legislation to combat international trafficking of migrants, which should take into account, in particular, trafficking that endangers the lives of migrants or includes different forms of servitude or exploitation, such as any form of debt bondage, sexual or labour exploitation, and to strengthen international cooperation to combat such trafficking;

10. *Welcomes* the recommendations of the Special Rapporteur on the human rights of migrants that close links be established between her work and that of the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, within the framework of the objectives of the Conference, and encourages her to assist in the identification of the main issues that the Conference should address;

11. *Calls upon* all States to protect the human rights of migrant children, in particular unaccompanied migrant children, ensuring that the best interests of the children are the paramount consideration, and encourages the relevant United Nations bodies, within the framework of their respective mandates, to pay special attention to the conditions of migrant children in all States and, where necessary, to put forward recommendations for strengthening their protection;

12. *Requests* the Secretary-General to submit to the General Assembly at its fifty-sixth session a report on the implementation of the present resolution under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

Draft resolution III
Proclamation of 18 December as International Migrants Day

The General Assembly,

Taking note of Economic and Social Council decision 2000/288 of 26 July 2000,

[25] United Nations, *Treaty Series*, vol. 596, No. 8638.

Considering that the Universal Declaration of Human Rights[26] proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Taking into account the large and increasing number of migrants in the world,

Encouraged by the increasing interest of the international community in the effective and full protection of the human rights of all migrants, and underlining the need to make further efforts to ensure respect for the human rights and fundamental freedoms of all migrants,

1. *Decides* to proclaim 18 December International Migrants Day;

2. *Invites* Member States, as well as intergovernmental and non-governmental organizations, to observe International Migrants Day, through, inter alia, the dissemination of information on the human rights and fundamental freedoms of migrants, the sharing of experience and the design of actions to ensure their protection;

3. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments and appropriate intergovernmental and non-governmental organizations.

Draft resolution IV
United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[27]

Reaffirming article 26 of the Universal Declaration of Human Rights, which states that "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms",

Recalling the provisions of other international human rights instruments, including article 13 of the International Covenant on Economic, Social and Cultural Rights,[28] article 10 of the Convention on the Elimination of All Forms of Discrimination against Women,[29] article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination,[30] article 29 of the Convention on the Rights of the Child,[31] article 10 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[32] and paragraphs 78 to 82 of the Vienna Declaration and Programme of Action adopted by the World Conference

[26] Resolution 217 A (III).
[27] Resolution 217 A (III).
[28] Resolution 2200 A (XXI), annex.
[29] Resolution 34/180, annex.
[30] Resolution 2106 A (XX) annex.
[31] Resolution 44/25, annex.
[32] Resolution 39/46, annex.

on Human Rights on 25 June 1993,[33] which reflect the aims of article 26 of the Universal Declaration of Human Rights,

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995-2004, public information activities in the field of human rights, including the World Public Information Campaign on Human Rights and the implementation of and follow-up to the Vienna Declaration and Programme of Action, the project of the United Nations Educational, Scientific and Cultural Organization entitled "Towards a culture of peace", and the Dakar Framework for Action adopted at the World Education Forum, held at Dakar, from 26 to 28 April 2000, which, inter alia, reconfirmed the mandated role of the United Nations Educational, Scientific and Cultural Organization of coordinating partners in the Education For All initiative and maintaining their collective momentum within the process of securing quality basic education,

Believing that the World Public Information Campaign is a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights, and recalling the importance attached by the World Conference on Human Rights to human rights education and information,

Believing also that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and ensuring equal opportunities through the promotion and protection of the human rights of women,

Convinced that every woman, man and child, in order to realize their full human potential, must be made aware of all their human rights and fundamental freedoms,

Convinced also that human rights education should involve more than the provision of information and should constitute a comprehensive, lifelong process by which people at all levels of development and in all societies learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Recognizing that human rights education and information are essential to the realization of human rights and fundamental freedoms and that carefully designed training, dissemination and information programmes can have a catalytic effect on national, regional and international initiatives to promote and protect human rights and prevent human rights violations,

Convinced that human rights education and information contribute to a holistic concept of development consistent with the dignity of women and men of all ages, which takes into account particularly vulnerable segments of society such as children, young persons, older persons, indigenous people, minorities, the rural and urban poor, migrant workers, refugees, persons with the human immunodeficiency virus/acquired immunodeficiency syndrome and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and

[33] A/CONF.157/24 (Part I), chap. III.

Cultural Organization, the International Labour Organization, the United Nations Children's Fund and the United Nations Development Programme,

Recognizing the invaluable and creative role that non-governmental and community-based organizations can play in disseminating public information and engaging in human rights education, especially at the grass-roots level and in remote and rural communities,

Aware of the potential supportive role of the private sector in implementing at all levels of society the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004,[34] and the World Public Information Campaign, through creative initiatives and financial support for governmental and non-governmental activities,

Convinced that the effectiveness of existing human rights education and public information activities would be enhanced by better coordination and cooperation at the national, regional and international levels,

Recalling that it is within the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights,

Taking note with appreciation of the increased efforts undertaken so far by the Office of the High Commissioner to disseminate human rights information through its web site[35] and its publications and external relations programmes,

Welcoming the initiative of the Office of the High Commissioner to develop further the project entitled "Assisting Communities Together", launched in 1998, supported by voluntary funds and designed to provide small grants to grass-roots and local organizations carrying out practical human rights activities,

Recalling that, according to the Plan of Action, in 2000 a mid-term global evaluation of progress made towards the achievement of the objectives of the Decade shall be undertaken by the Office of the High Commissioner, in cooperation with all other principal actors in the Decade,

Acknowledging with appreciation the mid-term global evaluation undertaken from April to August 2000 by the Office of the High Commissioner, which included the launching of a worldwide survey, the organization of an online forum, the convening of an expert meeting and the preparation of the High Commissioner's mid-term evaluation report,

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education, 1995-2004,[36] which contains an analysis of available information on the progress made in the first five years of the Decade at the national, regional and international levels and recommendations for action during the remaining years of the Decade;

2. *Welcomes* the steps taken by Governments and intergovernmental and non-governmental organizations to implement the Plan of Action for the United

[34] A/51/506/Add.1, appendix.

[35] www.unhchr.ch.

[36] See A/55/360.

Nations Decade for Human Rights Education, 1995-2004,[34] and to develop public information activities in the field of human rights, as indicated in the report of the High Commissioner on the mid-term global evaluation;

3. *Urges* all Governments to contribute further to the implementation of the Plan of Action, in particular by encouraging the establishment of, in accordance with national conditions, broadly representative national committees for human rights education responsible for the development of comprehensive, effective and sustainable national plans of action for human rights education and information, taking into consideration the guidelines for national plans of action for human rights education developed by the Office of the United Nations High Commissioner for Human Rights[37] within the framework of the Decade;

4. *Urges* Governments to encourage, support and involve national and local non-governmental and community-based organizations in the implementation of their national plans of action;

5. *Encourages* Governments to consider, within the national plans of action mentioned in paragraphs 3 and 4 above, the establishment of public access human rights resource and training centres capable of engaging in research, the gender-sensitive training of trainers, the preparation, collection, translation and dissemination of human rights education and training materials, the organization of courses, conferences, workshops and public information campaigns and assistance in the implementation of internationally sponsored technical cooperation projects for human rights education and public information;

6. *Encourages* States, where such national public access human rights resource and training centres exist, to strengthen their capacity to support human rights education and public information programmes at the international, national, regional and local levels;

7. *Calls upon* Governments, in accordance with national conditions, to accord priority to the dissemination, in the relevant national and local languages, of the Universal Declaration of Human Rights,[27] the International Covenants on Human Rights[28] and other human rights instruments, human rights materials and training manuals, as well as reports of States parties submitted under international human rights treaties, and to provide information and education in those languages on the practical ways in which national and international institutions and procedures may be utilized to ensure the effective implementation of those instruments;

8. *Encourages* Governments to support further, through voluntary contributions, the education and public information efforts undertaken by the Office of the High Commissioner within the framework of the Plan of Action;

9. *Requests* the High Commissioner to continue to coordinate and harmonize human rights education and information strategies within the United Nations system, including the implementation of the Plan of Action, in cooperation, inter alia, with the United Nations Educational, Scientific and Cultural Organization, and to ensure maximum effectiveness and efficiency in the use, processing, management and distribution of human rights information and educational materials, including through electronic means;

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[37] A/52/469/Add.1 and Add.1/Corr.1.

10. *Encourages* Governments to contribute to the further development of the web site of the Office of the High Commissioner,[35] in particular with respect to the dissemination of human rights education materials and tools, and to continue and expand the publications and external relations programmes of the Office;

11. *Encourages* the Office of the High Commissioner to continue to support national capacities for human rights education and information through its technical cooperation programme in the field of human rights, including the organization of training courses and the development of targeted training materials for professional audiences, as well as the dissemination of human rights information materials as a component of technical cooperation projects, and to continue to monitor developments in human rights education;

12. *Urges* the Department of Public Information of the United Nations Secretariat to continue to utilize United Nations information centres for the timely dissemination, within their designated areas of activity, of basic information, reference and audio-visual materials on human rights and fundamental freedoms, including the reports of States parties submitted under international human rights instruments and, to this end, to ensure that the information centres are supplied with adequate quantities of those materials;

13. *Stresses* the need for close collaboration between the Office of the High Commissioner and the Department of Public Information in the implementation of the Plan of Action and the World Public Information Campaign, and the need to harmonize their activities with those of other international organizations, such as the United Nations Educational, Scientific and Cultural Organization with regard to its project entitled "Towards a culture of peace" and the International Committee of the Red Cross and relevant non-governmental organizations with regard to the dissemination of information on international humanitarian law;

14. *Invites* the specialized agencies and relevant United Nations programmes and funds to continue to contribute, within their respective spheres of competence, to the implementation of the Plan of Action and the World Public Information Campaign and to cooperate and coordinate with each other and with the Office of the High Commissioner in that regard;

15. *Encourages* the relevant organs, bodies and agencies of the United Nations system, all human rights bodies of the United Nations system, including the Office of the High Commissioner for Human Rights and the Office of the United Nations High Commissioner for Refugees, to provide training in human rights for all United Nations personnel and officials;

16. *Encourages* the human rights treaty bodies, when examining reports of States parties, to place emphasis on the obligations of States parties in the area of human rights education and information and to reflect this emphasis in their concluding observations;

17. *Calls upon* international, national and regional non-governmental organizations and intergovernmental organizations, in particular those concerned with women, labour, development, food, housing, education, health care and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to undertake specific activities of formal, non-formal and informal education, including cultural events, alone and in cooperation with the Office of the High Commissioner, in implementing the Plan of Action;

18. *Encourages* Governments, regional organizations and intergovernmental and non-governmental organizations to explore the potential support and contribution to human rights education of all relevant partners, including the private sector, development, trade and financial institutions and the media, and to seek their cooperation in the development of human rights education strategies;

19. *Encourages* regional organizations to develop strategies for the wider distribution of materials on human rights education through regional networks and to develop region-specific programmes to maximize the participation of national entities, whether governmental or non-governmental, in programmes on human rights education;

20. *Encourages* intergovernmental organizations to assist, upon request, collaboration between governmental institutions and non-governmental organizations at the national level;

21. *Requests* the Office of the High Commissioner to continue implementation of and to expand the "Assisting Communities Together" project and to consider other appropriate ways and means to support human rights education activities, including those undertaken by non-governmental organizations;

22. *Requests* the High Commissioner to bring the recommendations contained in the mid-term global evaluation report and the present resolution to the attention of all members of the international community and of intergovernmental and non-governmental organizations concerned with human rights education and public information, and to report to the General Assembly at its fifty-sixth session on the progress made towards the achievement of the objectives of the Decade under the item entitled "Human rights questions".

Draft resolution V
Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[38] and the International Covenants on Human Rights,[39]

Recalling the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[40] including part III thereof, relating to human rights,

Recalling also its resolution 54/171 of 17 December 1999, Commission on Human Rights resolution 2000/79 of 26 April 2000[41] and previous relevant resolutions,

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[38] Resolution 217 A (III).

[39] Resolution 2200 A (XXI), annex.

[40] A/46/608-S/23177; see *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991*, document S/23177.

[41] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

Recognizing that the tragic history of Cambodia requires special measures to assure the protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Desiring that the international community continue to respond positively to assist efforts to investigate the tragic history of Cambodia, including responsibility for past international crimes, such as acts of genocide and crimes against humanity during the regime of Democratic Kampuchea from 1975 to 1979,

Bearing in mind the request made in June 1997 by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law, the letter dated 15 March 1999 from the Secretary-General to the President of the General Assembly and the President of the Security Council[42] and the report of the Group of Experts appointed by the Secretary-General annexed thereto, and the discussions held between the Government of Cambodia and the United Nations Secretariat on standards and procedures for bringing to justice the Khmer Rouge leaders most responsible for the most serious violations of human rights in the years 1975-1979,

Recognizing the legitimate concern of the Government and people of Cambodia in the pursuit of internationally accepted principles of justice and of national reconciliation,

Recognizing also that the accountability of individual perpetrators of grave human rights violations is one of the central elements of any effective remedy for victims of human rights violations and a key factor in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability within a State,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia,

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources for the continued functioning of the operational presence in Cambodia of the Office of the High Commissioner and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Takes note with appreciation* of the report of the Secretary-General concerning the situation of human rights in Cambodia;[43]

3. *Requests* the Government of Cambodia and the office in Cambodia of the United Nations High Commissioner for Human Rights to exchange the memorandum of understanding for the extension of the mandate of the office after March 2000, and encourages the Government of Cambodia to continue to cooperate with the office;

4. *Commends and expresses its deep appreciation* for the work of the former Special Representative of the Secretary-General for human rights in

[42] A/53/850-S/1999/231.
[43] A/55/291.

Cambodia, Thomas Hammarberg, in promoting and protecting human rights in Cambodia;

5. *Welcomes* the appointment by the Secretary-General of Peter Leuprecht as his new Special Representative for human rights in Cambodia, and requests the Special Representative, in collaboration with the Office of the United Nations High Commissioner, to continue the work of his predecessors by evaluating the extent to which the recommendations in his forthcoming reports, and those contained in the reports of his predecessors, are followed up and implemented, while maintaining contact with the Government and people of Cambodia;

6. *Notes with concern* the continued problems related to the rule of law and the functioning of the judiciary, including interference by the executive with the independence of the judiciary, inter alia, through rearrests, and welcomes statements by the Government committing itself to judicial reform, the work currently being done to prepare the laws and codes that are essential components of the basic legal framework, meetings of the Supreme Council of Magistracy and the establishment of the Council of Judicial Reform;

7. *Urges* the Government of Cambodia to continue to take the necessary measures to develop an independent, impartial and effective judicial system, including through the early adoption of the draft statute on magistrates, a penal code and a code on criminal procedures, and the reform of the administration of justice, and appeals to the international community to assist the Government to this end;

8. *Welcomes* the draft governance action plan prepared by the Government of Cambodia, encourages its early adoption and implementation, and appeals to the international community to assist the Government in its efforts to implement the plan;

9. *Commends* the initial efforts of the Government of Cambodia with regard to the review and the stated commitment to the downsizing of the police and the military, urges the Government to take further measures to carry out effective reform aimed towards professional and impartial police and military forces, and invites the international community to continue to assist the Government to this end;

10. *Recognizes* the importance of human rights education and training in Cambodia, commends the efforts by the Government of Cambodia, the Office of the United Nations High Commissioner for Human Rights and civil society in this field, encourages further strengthening and wider dissemination of these programmes, and invites the international community to continue to assist these efforts;

11. *Commends* the vital and valuable role played by non-governmental organizations in Cambodia, inter alia, in the development of civil society, and encourages the Government of Cambodia to continue to work closely and cooperatively with non-governmental organizations in efforts to strengthen and uphold human rights in Cambodia;

12. *Notes with interest* the activities undertaken by the governmental Cambodian Human Rights Committee, the National Assembly Commission on Human Rights and Reception of Complaints and the Senate Commission on Human Rights and Reception of Complaints, and welcomes preliminary efforts to establish an independent national human rights commission which should be based on the principles relating to the status of national institutions for the promotion and

protection of human rights, known as the Paris principles,[44] and requests the Office of the High Commissioner to continue to provide advice and technical assistance in these efforts;

13. *Expresses grave concern* about continued violations of human rights, including torture, extrajudicial killings, excessive pre-trial detention, violation of labour rights, illegal confiscation of land and forced relocation, as well as the apparent lack of protection from mob killings as detailed in the report of the Special Representative to the Commission on Human Rights at its fifty-sixth session,[45] and notes some progress made by the Government of Cambodia in addressing these issues;

14. *Expresses serious concern* about the continued prevalence of impunity in Cambodia, commends the initial commitment and efforts of the Government of Cambodia to tackle this question, and calls upon the Government to take further measures, as a matter of critical priority, to investigate urgently and prosecute, in accordance with due process of law and international human rights standards, all those who have perpetrated violations of human rights;

15. *Welcomes* the investigations into some cases of politically motivated violence, while remaining concerned at the continued reports of politically motivated violence and intimidation, and urges the Government of Cambodia to undertake further investigations in line with its stated commitments and to take appropriate measures to prevent politically motivated violence and intimidation in the future;

16. *Also welcomes* the commitment and efforts made by the Government of Cambodia with respect to tackling the question of human rights violations, and notes with interest the investigations undertaken by the governmental Cambodian Human Rights Committee and by the National Police in order to bring to justice those responsible for those violations and to ensure security of persons and rights of association, assembly and expression;

17. *Reaffirms* that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge, welcomes the final collapse of the Khmer Rouge which has paved the way for the restoration of peace, stability and national reconciliation in Cambodia and the investigation and prosecution of the leaders of the Khmer Rouge, and notes with interest the progress made by the Government of Cambodia in bringing to justice the Khmer Rouge leaders most responsible for the most serious violations of human rights;

18. *Welcomes* the successful conclusion of the talks between the Government of Cambodia and the United Nations Secretariat on the question of the trial of the Khmer Rouge leaders who are most responsible for the most serious violations of human rights, appeals strongly to the Government of Cambodia to ensure, including through facilitating the expedited completion of the necessary legislative process as soon as possible, that those Khmer Rouge leaders are brought to account in accordance with international standards of justice, fairness and due process of law, encourages the Government to continue to cooperate with the United Nations on this issue, and welcomes the efforts of the Secretariat and the international community in assisting the Government to this end;

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[44] See resolution 48/134, annex.

[45] E/CN.4/2000/109.

19. *Takes note with interest* of the signing by Cambodia of the Rome Statute of the International Criminal Court;

20. *Reaffirms* the importance of the upcoming communal elections being conducted in a free and fair manner, takes note with interest of the draft legislations for preparing for communal elections, and urges the Government of Cambodia to continue to prepare for them accordingly;

21. *Welcomes* the initial progress made under the five-year action plan by the Government of Cambodia, in particular by the Ministry of Women's and Veteran's Affairs, to improve the status of women, and urges the Government of Cambodia to continue to take appropriate measures to eliminate all forms of discrimination against women, to combat violence against women in all its forms, including grave violations of the rights of women perpetrated by elements of law enforcement and armed forces personnel, and to take all steps to meet its obligations as a party to the Convention on the Elimination of All Forms of Discrimination against Women,[46] including by seeking technical assistance;

22. *Calls upon* the Government of Cambodia to continue to take further measures to ensure adequate health conditions, with emphasis on ensuring such conditions for women and children and minority groups and on the problem of human immunodeficiency virus/acquired immunodeficiency syndrome, and encourages the international community to continue to support the Government to this end;

23. *Commends* the continued efforts of the Government of Cambodia, together with non-governmental organizations, local authorities and United Nations bodies, to improve the quality of and access to education, calls for further measures to be taken in order to ensure the right of Cambodian children to education, especially at the primary level, in accordance with the Convention on the Rights of the Child,[47] and requests the international community to provide assistance for the achievement of this goal;

24. *Welcomes* the signing of the United Nations inter-agency memorandum of understanding with the Ministry of the Interior on Law Enforcement against Sexual Exploitation of Children, and encourages the Government of Cambodia to ensure the necessary law enforcement and other measures to tackle the problem of child prostitution and trafficking in Cambodia;

25. *Notes with serious concern* the problem of child labour in its worst forms, calls upon the Government of Cambodia to ensure adequate health and safety conditions for children and to outlaw, in particular, the worst forms of child labour, invites the International Labour Organization to continue to extend the necessary assistance in this regard, and encourages the Government of Cambodia to consider ratifying International Labour Organization Convention No. 182 (1999) concerning Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

26. *Also notes with serious concern* the prison conditions in Cambodia, notes with interest some improvements in the prison system, commends the continuance of international assistance to improve the material conditions of detention, and calls upon the Government of Cambodia to take the further measures necessary to improve prison conditions, especially with regard to providing the minimum

[46] Resolution 34/180, annex.
[47] Resolution 44/25, annex.

standard of food and health care and meeting the special needs of women and children, including through strengthening of the coordinating role of the Prison Health Department with the Ministry of Health, provincial authorities and non-governmental organizations working in this field;

27. *Urges* an end to racial violence against and vilification of ethnic minorities, including the ethnic Vietnamese, and also urges the Government of Cambodia to prevent such violence, as well as to meet its obligations as a party to the International Convention on the Elimination of All Forms of Racial Discrimination,[48] inter alia, by seeking technical assistance;

28. *Welcomes* the actions taken by the Government of Cambodia to combat illicit logging, which has seriously threatened the full enjoyment of economic, social and cultural rights by many Cambodians, including indigenous people, expects these efforts by the Government of Cambodia to continue, and welcomes the progress made on the drafting of the new land law;

29. *Also welcomes* the consideration by the Committee on the Rights of the Child of the initial report of Cambodia submitted under the Convention on the Rights of the Child, requests the Government of Cambodia to follow up the recommendations made by the international human rights treaty bodies regarding the reports submitted by it, calls upon the Government to meet its reporting obligations under all other international human rights instruments, and requests the office of the United Nations High Commissioner for Human Rights in Cambodia to continue to provide assistance in this regard;

30. *Expresses grave concern* at the devastating consequences and destabilizing effects of the use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines and for victim assistance and mine-awareness programmes, and commends donor countries and other actors of the international community for their contributions and assistance to mine action;

31. *Expresses concern* about the large number of small arms in society and commends the efforts by the Government of Cambodia to control the spread of weapons;

32. *Notes with appreciation* the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the High Commissioner, as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing to the Trust Fund;

33. *Requests* the Secretary-General to report to the General Assembly at its fifty-sixth session on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

34. *Decides* to continue its consideration of the situation of human rights in Cambodia at its fifty-sixth session under the item entitled "Human rights questions".

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[48] Resolution 2106 A (XX), annex.

Draft resolution VI
Promoting and consolidating democracy

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations and reaffirming also that everyone is entitled to all rights and freedoms without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, as set forth in the Universal Declaration of Human Rights,[49]

Bearing in mind Commission on Human Rights resolutions 1999/57 of 27 April 1999[50] and 2000/47 of 25 April 2000,[51]

Recognizing the indissoluble link between human rights as enshrined in the Universal Declaration of Human Rights and in the international human rights treaties and the foundation of any democratic society and reaffirming the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,[52] which states that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing,

Recalling that all peoples have the right of self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development,

Recalling also that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights recommended that priority should be given to national and international action to promote democracy, development and human rights and that the international community should support the strengthening and promotion of democracy, development and respect for human rights and fundamental freedoms in the entire world,

Recalling further its resolution 53/243 of 13 September 1999, containing the Declaration and Programme of Action for a Culture of Peace,

Recognizing and respecting the rich and diverse nature of the community of the world's democracies, which arise out of all of the world's social, cultural and religious beliefs and traditions,

Also recognizing that, while all democracies share common features, there is no one universal model of democracy,

Reaffirming its commitment to the process of democratization of States, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

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[49] Resolution 217 A (III).

[50] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[51] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

[52] A/CONF.157/24 (Part I), chap. III.

Reaffirming also that good governance, as referred to in the United Nations Millennium Declaration,[53] is among the indispensable factors for building and strengthening peaceful, prosperous and democratic societies,

Aware of the crucial importance of the active involvement and contribution of civil society in processes of governance that affect the life of people,

Recalling commitments undertaken by Member States for the promotion of democracy and the rule of law, within the framework of the United Nations and other international organizations,

Welcoming measures, such as resolution 1080 adopted by the General Assembly of the Organization of American States, decision 141 (XXXV) of the Assembly of Heads of State and Government of the Organization of African Unity[54] and the Moscow Document adopted in 1991 by the Conference on the Human Dimension of the Conference for Security and Cooperation in Europe, which commit Member States to take certain steps in the event of an interruption of democratic government, as well as the 1991 Harare Commonwealth Declaration,[55] which commits members to fundamental democratic principles,

Commending the wish of an increasing number of countries all over the world to devote their energy, means and political will to the building of democratic societies in which individuals have the opportunity to shape their own destiny,

Noting the initiatives taken by the countries that participated in the first, second and third International Conferences of New or Restored Democracies, held at, respectively, Manila in June 1988, Managua in July 1994 and Bucharest in September 1997,

Noting also the ministerial conference entitled "Towards a Community of Democracies", hosted by the Government of Poland in Warsaw, on 26 and 27 June 2000,

Noting further the Forum on Emerging Democracies, held at Sana'a from 27 to 30 June 1999,

Noting that the fourth International Conference of New or Restored Democracies is scheduled to be held at Cotonou from 4 to 6 December 2000, and also noting the initiative of the Government of Mali to host, at Bamako from 1 to 3 November 2000, following the Moncton Declaration adopted in September 1999 at Moncton, Canada, by the Eighth Summit of la Francophonie,[56] an international symposium at the ministerial level on the practices of democracy in the francophone areas,

1. *Calls upon* States to promote and consolidate democracy, inter alia, by:

(a) Promoting pluralism, the protection of all human rights and fundamental freedoms, maximizing the participation of individuals in decision-making and the development of effective public institutions, including an independent judiciary, accountable legislature and public service and an electoral system that ensures periodic, free and fair elections;

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[53] Resolution 55/2.

[54] See A/54/424, annex II.

[55] A/46/708, annex.

[56] A/54/453, annex I.

(b) Promoting, protecting and respecting all human rights, including the right to development, and fundamental freedoms, in particular:

(i) Freedom of thought, conscience, religion, belief, peaceful assembly and association, as well as freedom of expression, freedom of opinion, and free, independent and pluralistic media;

(ii) The rights of persons belonging to national, ethnic, religious or linguistic minorities, including the right freely to express, preserve and develop their identity without any discrimination and in full equality before the law;

(iii) The rights of indigenous people;

(iv) The rights of children, the elderly and persons with physical or mental disabilities;

(v) Actively promoting gender equality with the aim of achieving full equality between men and women;

(vi) Taking appropriate measures to eradicate all forms of racism and racial discrimination, xenophobia and related intolerance;

(vii) Considering becoming parties to international human rights instruments;

(viii) Fulfilling their obligations under the international human rights instruments to which they are parties;

(c) Strengthening the rule of law by:

(i) Ensuring equality before the law and equal protection under the law;

(ii) Ensuring the right to liberty and security of person, the right to equal access to justice, and the right to be brought promptly before a judge or other officer authorized by law to exercise judicial power in the case of detention with a view to avoiding arbitrary arrest;

(iii) Guaranteeing the right to a fair trial;

(iv) Ensuring due process of law and the right to be presumed innocent until proven guilty in a court of law;

(v) Promoting the independence and integrity of the judiciary and, by means of appropriate education, selection, support and allocation of resources, strengthening its capacity to render justice with fairness and efficiency, free from improper or corrupt outside influence;

(vi) Guaranteeing that all persons deprived of their liberty are treated with humanity and with respect for the inherent dignity of the human person;

(vii) Ensuring appropriate civil and administrative remedies and criminal sanctions for violations of human rights, as well as effective protection for human rights defenders;

(viii) Including human rights education in the training for civil servant law enforcement and military personnel;

(ix) Ensuring that the military remains accountable to the democratically elected civilian government;

(d) Developing, nurturing and maintaining an electoral system that provides for the free and fair expression of the people's will through genuine and periodic elections, in particular by:

(i) Guaranteeing that everyone can exercise his or her right to take part in the government of his or her country, directly or through freely chosen representatives;

(ii) Guaranteeing the right to vote freely and to be elected in a free and fair process at regular intervals, by universal and equal suffrage, conducted by secret ballot and with full respect for the right to freedom of association;

(iii) Taking measures, as appropriate, to address the representation of under-represented segments of society;

(iv) Ensuring, through legislation, institutions and mechanisms, the freedom to form democratic political parties that can participate in elections, as well as the transparency and fairness of the electoral process, including through appropriate access under the law to funds and free, independent and pluralistic media;

(e) Creating and improving the legal framework and necessary mechanisms for enabling the wide participation of all members of civil society in the promotion and consolidation of democracy, by:

(i) Respecting the diversity of society by promoting associations, dialogue structures, mass media and their interaction as a means of strengthening and developing democracy;

(ii) Fostering, through education and other means, awareness and respect for democratic values;

(iii) Respecting the right to freedom of peaceful assembly and the exercise of the right freely to form, join and participate in non-governmental organizations or associations, including trade unions;

(iv) Guaranteeing mechanisms for consultations with and the contribution of civil society in processes of governance and encouraging cooperation between local authorities and non-governmental organizations;

(v) Providing or improving the legal and administrative framework for non-governmental, community-based and other civil society organizations;

(vi) Promoting civic education and education on human rights, inter alia, in cooperation with organizations of civil society;

(f) Strengthening democracy through good governance as referred to in the United Nations Millennium Declaration[53] by, inter alia:

(i) Improving the transparency of public institutions and policy-making procedures and enhancing the accountability of public officials;

(ii) Taking legal, administrative and political measures against corruption, including by disclosing and investigating and punishing all those involved in acts of corruption and by criminalizing payment of commissions and bribes to public officials;

(iii) Bringing government closer to the people by appropriate levels of devolution;

(iv) Promoting the widest possible public access to information about the activities of national and local authorities, as well as ensuring access by all to administrative remedies, without discrimination;

(v) Fostering high levels of competence, ethics and professionalism within the civil service and its cooperation with the public, inter alia, by providing appropriate training for members of the civil service;

(g) Strengthening democracy by promoting sustainable development, in particular by:

(i) Taking effective measures aimed at the progressive realization of economic, social and cultural rights, such as the right to education and the right to a standard of living adequate for health and well-being, including food, clothing, housing, medical care and necessary social services, individually and through international cooperation;

(ii) Taking effective measures aimed at overcoming social inequalities and creating an environment that is conducive to development and to the elimination of poverty;

(iii) Promoting economic freedom and social development and pursuing active policies to provide opportunities for productive employment and sustainable livelihoods;

(iv) Ensuring equal access to economic opportunities and equal pay and other rewards for work of equal value;

(v) Creating a legal and regulatory framework with a view to promoting sustained economic growth and sustainable development;

(h) Enhancing social cohesion and solidarity by:

(i) Developing and strengthening, at the local and national levels, institutional and educational capabilities to resolve conflicts and disputes peacefully, including through mediation, and to prevent and eliminate the use of violence in addressing societal tensions and disagreements;

(ii) Improving social protection systems and ensuring access for all to basic social services;

(iii) Encouraging social dialogue and tripartite cooperation with respect to labour relations among government, trade unions and employer organizations, as reflected in the core Conventions of the International Labour Organization;

2. *Requests* the Secretary-General to disseminate the present resolution as widely as possible.

Draft resolution VII
Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Recalling article 18 of the Universal Declaration of Human Rights,[57] and article 18 of the International Covenant on Civil and Political Rights,[58]

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the United Nations Millennium Declaration,[59] in particular paragraph 4 thereof,

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others, and in public or private,

Reaffirming the call of the World Conference on Human Rights for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[60]

Calling upon all Governments to cooperate with the Special Rapporteur of the Commission on Human Rights on religious intolerance to enable him to carry out his mandate fully,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,[61]

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[57] Resolution 217 A (III).
[58] See resolution 2200 A (XXI), annex.
[59] Resolution 55/2.
[60] A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.
[61] E/CN.4/1994/79, para. 103.

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. *Urges* States to ensure that their constitutional and legal systems provide effective guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies in cases in which the right to freedom of religion or belief is violated;

3. *Also urges* States to ensure, in particular, that no one within their jurisdiction is, because of his or her religion or belief, deprived of the right to life or the right to liberty and security of person, or subjected to torture or arbitrary arrest or detention;

4. *Further urges* States, in conformity with international standards of human rights, to take all necessary action to prevent such instances, to take all appropriate measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance and to encourage, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if those limitations that are prescribed by law are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

6. *Urges* States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

7. *Calls upon* all States to recognize, as provided for in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[62] the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

8. *Expresses its grave concern* at any attack upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert their utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

9. *Recognizes* that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief, and that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration;

10. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on religious intolerance,[63] and

[62] Resolution 36/55.

[63] A/55/280 and Add.1 and 2.

encourages continued efforts on the part of the Special Rapporteur who was appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures, as appropriate;

11. *Welcomes* the decision of the Commission on Human Rights in resolution 2000/33 of 20 April 2000[64] to change the title of the Special Rapporteur from Special Rapporteur on religious intolerance to Special Rapporteur on freedom of religion or belief;

12. *Takes note* of the study presented by the Special Rapporteur to the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance at its first session, and encourages the Special Rapporteur to continue to contribute to the preparations for the Conference, which is to be held in Durban, South Africa, in 2001, on matters relating to religious intolerance that have a bearing on the World Conference;

13. *Encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

14. *Welcomes* the initiatives of Governments and non-governmental organizations to collaborate with the Special Rapporteur, including by the convening of an international consultative conference on school education in relation to freedom of religion or belief, to be held at Madrid in November 2001, and encourages Governments, non-governmental organizations and other interested parties to participate actively in that conference;

15. *Encourages* Governments, when seeking the assistance of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights, to consider, where appropriate, including requests for assistance for the promotion and protection of the right to freedom of thought, conscience and religion;

16. *Welcomes and encourages* the continuing efforts of non-governmental organizations and religious bodies and groups to promote the implementation and dissemination of the Declaration, and encourages their work in promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

17. *Requests* the Commission on Human Rights to continue its consideration of measures for the implementation of the Declaration;

18. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its fifty-sixth session;

19. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the resources necessary to enable him to fully discharge his mandate;

20. *Decides* to consider the question of the elimination of all forms of religious intolerance at its fifty-sixth session under the item entitled "Human rights questions".

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[64] *Official Records of the Economic and Social Council, 2000, Supplement No. 23* (E/2000/23), chap. II, sect. A.

Draft resolution VIII
Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, which is annexed to that resolution,

Reiterating the importance of the Declaration and its promotion and implementation,

Taking note of the decision of the Commission on Human Rights to request the Secretary-General to appoint, for a period of three years, a special representative who shall report on the situation of human rights defenders in all parts of the world and on possible means to enhance their protection in full compliance with the Declaration,[65]

Welcoming the appointment by the Secretary-General of a special representative on human rights defenders,

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities,

1. *Calls upon* all States to promote and give effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;[66]

2. *Invites* all Governments to cooperate with and assist the Special Representative in fulfilling her mandate;

3. *Requests* all concerned United Nations agencies and organizations, within their mandates, to provide all possible assistance and support to the Special Representative in the implementation of her programme of activities;

4. *Takes note* of the report of the Secretary-General on human rights defenders;[67]

5. *Invites* the Commission on Human Rights to consider, at its fifty-seventh session, the report to be prepared by the Special Representative of the Secretary-General pursuant to Commission resolution 2000/61;

6. *Decides* to consider this question at its fifty-sixth session, under the item entitled "Human rights questions".

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[65] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A, resolution 2000/61.

[66] Resolution 53/144, annex.

[67] A/55/292.

Draft resolution IX
Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights[68] fifty-two years ago, Member States pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that the rule of law is an essential factor in the protection of human rights, as stressed in the Universal Declaration of Human Rights, and should continue to attract the attention of the international community,

Convinced that, through their own national legal and judicial systems, States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Office of the United Nations High Commissioner for Human Rights in supporting national efforts to strengthen the institutions of the rule of law,

Bearing in mind that, in its resolution 48/141 of 20 December 1993, the General Assembly entrusted the United Nations High Commissioner for Human Rights with, inter alia, providing advisory services and technical and financial assistance in the field of human rights, enhancing international cooperation for the promotion and protection of all human rights and coordinating human rights activities throughout the United Nations system,

Recalling the recommendation of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, that a comprehensive programme should be established within the United Nations with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law,[69]

Recalling also its resolution 53/142 of 9 December 1998 and Commission on Human Rights resolution 1999/74 of 28 April 1999,[70]

1. *Welcomes* the report of the Secretary-General;[71]

2. *Notes with appreciation* the increasing number of Member States seeking assistance in strengthening and consolidating the rule of law and the support provided to these States through the technical cooperation programme of the United Nations High Commissioner for Human Rights, as outlined in the above-mentioned report of the Secretary-General;

3. *Praises* the efforts made by the Office of the United Nations High Commissioner for Human Rights to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

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[68] Resolution 217 A (III).

[69] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

[70] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[71] A/55/177.

4. *Expresses its deep concern* at the scarcity of means at the disposal of the Office of the High Commissioner for the fulfilment of its tasks;

5. *Notes with concern* that the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights does not have sufficient funds to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but are lacking the necessary means and resources;

6. *Welcomes* the deepening of the ongoing cooperation between the Office of the High Commissioner and other relevant bodies and programmes of the United Nations system, with a view to enhancing system-wide coordination of assistance in human rights, democracy and the rule of law and, in this context, notes the cooperation between the United Nations Development Programme and the Office of the High Commissioner in providing technical assistance, at the request of States, in the promotion of the rule of law;

7. *Affirms* that the United Nations High Commissioner for Human Rights remains the focal point for coordinating system-wide attention for human rights, democracy and the rule of law;

8. *Encourages* the High Commissioner to continue the dialogue between her Office and other organs and agencies of the United Nations system, taking into account the need to explore new synergies with a view to obtaining increased financial assistance for human rights and the rule of law and to promoting inter-agency coordination, funding and allocation of responsibilities in order to improve efficiency and complementarity of action concerning, inter alia, assistance to States in strengthening the rule of law;

9. *Also encourages* the High Commissioner to continue to explore the possibility of further contact with and support from the international financial institutions, acting within their mandates, with a view to obtaining the technical and financial means to strengthen the capacity of the Office of the High Commissioner to provide assistance to national projects that are aimed at the realization of human rights and the maintenance of the rule of law;

10. *Requests* the High Commissioner to continue to accord high priority to the technical cooperation activities undertaken by her Office with regard to the rule of law and to continue to act as a catalyst in the system by, inter alia, helping other United Nations agencies and programmes, within their respective mandates, to include in their work, as appropriate, attention to institution-building in the area of the rule of law;

11. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-seventh session on the implementation of the present resolution and the above-mentioned recommendation of the World Conference on Human Rights.

Draft resolution X
Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[72] as well as article 12 of the International Covenant on Civil and Political Rights,[73]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[74] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Recalling its resolution 54/169 of 17 December 1999,

1. *Once again calls upon* all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. *Reaffirms* that all Governments, in particular those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. *Calls upon* all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. *Also calls upon* all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against individuals or groups of legal migrants by adversely affecting family reunification and the right to send financial remittance to relatives in the country of origin;

5. *Decides* to continue its consideration of this question at its fifty-seventh session under the item entitled "Human rights questions".

Draft resolution XI
Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character

The General Assembly,

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[72] Resolution 217 A (III).

[73] Resolution 2200 A (XXI), annex.

[74] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

Recalling that, in accordance with Article 56 of the Charter of the United Nations, all Member States have pledged themselves to take joint and separate action, in cooperation with the Organization, for the achievement of the purposes set forth in Article 55, including universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling also the Preamble to the Charter of the United Nations, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small,

Reaffirming that the promotion and protection of all human rights and fundamental freedoms must be considered a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation, and that in the framework of these purposes and principles, the promotion and protection of all human rights are a legitimate concern of the international community,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter of the United Nations, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world, as well as continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights,

Reaffirming that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations and that human rights and fundamental freedoms are the birthright of all human beings, the protection and promotion of such rights and freedoms being the first responsibility of Governments,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further the various articles of the Charter of the United Nations setting out the respective powers and functions of the General Assembly, the Security Council and the Economic and Social Council, as the paramount framework for the achievement of the purposes of the United Nations,

Reaffirming the commitment of all States to fulfil their obligations under other important instruments of international law, in particular those of international human rights and humanitarian law,

Taking into account that, in accordance with Article 103 of the Charter of the United Nations, in the event of a conflict between the obligations of the Members of

the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail,

1. *Affirms* the solemn commitment of all States to enhance international cooperation in the field of human rights and in the solution to international problems of humanitarian character in full compliance with the Charter of the United Nations, inter alia, by the strict observance of all the purposes and principles set forth in Articles 1 and 2 thereof;

2. *Stresses* the vital role of the work of United Nations and regional arrangements, acting consistently with the purposes and principles enshrined in the Charter of the United Nations, in promoting and encouraging respect for human rights and for fundamental freedoms, as well as in solving international problems of a humanitarian character, and affirms that all States in these activities must fully comply with the principles set forth in Article 2 of the Charter, in particular respecting the sovereign equality of all States and refraining from the threat or use of force against the territorial integrity or political independence of any State, or acting in any other manner inconsistent with the purposes of the United Nations;

3. *Reaffirms* that the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion;

4. *Calls upon* all States to cooperate fully, through constructive dialogue, in order to ensure the promotion and protection of all human rights for all and in promoting peaceful solutions to international problems of a humanitarian character and, in their actions towards that purpose, to comply strictly with the principles and norms of international law, inter alia, by fully respecting international human rights and humanitarian law;

5. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, organs, bodies and other components of the United Nations system, and intergovernmental and non-governmental organizations and to disseminate it on the widest possible basis;

6. *Decides* to consider this question at its fifty-sixth session under the item entitled "Human rights questions".

Draft resolution XII
Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and expressing in particular the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[75] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[76]

Recalling also the International Covenant on Civil and Political Rights[77] and the International Covenant on Economic, Social and Cultural Rights,[77]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[78] and the outcome documents of the twenty-third[79] and twenty-fourth[80] special sessions of the General Assembly, held in, respectively, New York from 5 to 10 June 2000 and Geneva from 26 June to 1 July 2000,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, including in the field of human rights,

Realizing also that globalization is not merely an economic process but also has social, political, environmental, cultural and legal dimensions which have an impact on the full enjoyment of all human rights,

Recognizing that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights,

Deeply concerned that the widening gap between the developed and the developing countries, and within countries, has, inter alia, contributed to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

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[75] Resolution 217 A (III).
[76] A/CONF.157/24 (Part I), chap. III.
[77] Resolution 2200 A (XXI), annex.
[78] Resolution 55/2.
[79] Resolutions S-23/2 and S-23/3.
[80] Resolution S-24/2.

3. *Reaffirms also* the commitment to create an environment at both the national and global levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

4. *Recognizes* that, while globalization offers great opportunities, its benefits are very unevenly shared and its costs are unevenly distributed, an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

5. *Recognizes also* that, only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

6. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

7. *Affirms also* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

8. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

9. *Takes note* of the preliminary report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights,[81] and requests the Secretary-General, taking into account the different views of Member States, to submit a comprehensive report on this subject to the General Assembly at its fifty-sixth session.

Draft resolution XIII
Question of enforced or involuntary disappearances

The General Assembly,

Guided by the purposes and principles set forth in the Charter of the United Nations, the Universal Declaration of Human Rights,[82] the International Covenants on Human Rights[83] and the other relevant international human rights instruments,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons and its previous resolutions on the question of enforced or involuntary disappearances, in particular resolution 53/150 of 9 December 1998,

[81] A/55/342.
[82] Resolution 217 A (III).
[83] Resolution 2200 A (XXI), annex.

Recalling also its resolution 47/133 of 18 December 1992, in which it proclaimed the Declaration on the Protection of All Persons from Enforced Disappearances as a body of principles for all States,

Expressing concern that, according to the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights, the practice of a number of States can run counter to the Declaration,

Deeply concerned, in particular, by the intensification of enforced disappearances in various regions of the world and by the growing number of reports concerning the harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Emphasizing that impunity with regard to enforced disappearances contributes to the perpetuation of this phenomenon and constitutes one of the obstacles to the elucidation of its manifestations,

Taking note with interest of the initiatives taken at the national and international levels in order to end impunity,

Bearing in mind Commission on Human Rights resolution 2000/37 of 20 April 2000,[84]

Taking note of the transmission by the Subcommission on the Promotion and Protection of Human Rights to the Commission on Human Rights of a draft international convention on the protection of all persons from enforced or involuntary disappearance,[85]

Convinced that further efforts are needed to promote wider awareness of and respect for the Declaration, and taking note in this regard of the report of the Secretary-General,[86]

1. *Reaffirms* that any act of enforced disappearance is an offence to human dignity and a grave and flagrant violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights[82] and reaffirmed and developed in other international instruments in this field, as well as a violation of the rules of international law;

2. *Urges* all Governments to take appropriate legislative or other steps to prevent and suppress the practice of enforced disappearance, in keeping with the Declaration on the Protection of All Persons from Enforced Disappearance,[87] and to take action to that end at the national and regional levels and in cooperation with the United Nations, including through the provision of technical assistance;

3. *Calls upon* Governments to take steps, when a state of emergency is introduced, to ensure that the protection of human rights is ensured, in particular as regards the prevention of enforced disappearances;

4. *Reminds* Governments that impunity with regard to enforced disappearances contributes to the perpetuation of this phenomenon and constitutes

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[84] See *Official Records of the Economic and Social Council, 2000, Supplement No. 23* (E/2000/23), chap. II, sect. A.

[85] E/CN.4/Sub.2/1998/19, annex.

[86] A/55/289.

[87] Resolution 47/133.

one of the obstacles to the elucidation of its manifestations and, in this respect, also reminds them of the need to ensure that their competent authorities conduct prompt and impartial inquiries in all circumstances in which there is a reason to believe that an enforced disappearance has occurred in territory under their jurisdiction and that, if the allegations are confirmed, the perpetrators should be prosecuted;

5. *Once again urges* the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they may be subjected;

6. *Encourages* States, as some have already done, to provide concrete information on the measures taken to give effect to the Declaration on the Protection of All Persons from Enforced Disappearances, as well as the obstacles encountered;

7. *Requests* all States to consider the possibility of disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in local languages;

8. *Notes* the action taken by non-governmental organizations to encourage implementation of the Declaration and invites them to continue to facilitate its dissemination and to contribute to the work of the Subcommission on the Promotion and Protection of Human Rights of the Commission on Human Rights;

9. *Requests* the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights, in the continued exercise of its mandate, to take into account the provisions of the Declaration and to modify its working methods, if necessary;

10. *Recalls* the importance of the Working Group, the primary role of which is, as described in its reports, to act as a channel of communication between the families of disappeared persons and the Governments concerned, with a view to ensuring that sufficiently documented and clearly identified individual cases are investigated, and to ascertain whether such information falls under its mandate and contains the required elements, and invites the Group to continue to seek the views and comments of all concerned, including Member States, in the preparation of its reports;

11. *Invites* the Working Group to identify obstacles to the realization of the provisions of the Declaration, to recommend ways of overcoming those obstacles and, in this regard, to continue a dialogue with Governments and relevant intergovernmental and non-governmental organizations;

12. *Encourages* the Working Group to continue to consider the question of impunity, in the light of the relevant provisions of the Declaration and of the final reports submitted by the special rapporteurs[88] appointed by the Subcommission on the Promotion and Protection of Human Rights;

13. *Requests* the Working Group to pay the utmost attention to cases of children subjected to enforced disappearance and children of disappeared persons and to cooperate closely with the Governments concerned to search for and identify those children;

[88] E/CN.4/Sub.2/1997/8 and E/CN.4/Sub.2/1997/20/Rev.1.

14. *Appeals* to the Governments concerned, in particular those which have not yet replied to the communications transmitted by the Working Group, to cooperate fully with it and, in particular, to reply promptly to its requests for information so that, while respecting that its working methods are based on discretion, it may perform its strictly humanitarian role;

15. *Encourages* the Governments concerned to give serious consideration to inviting the Working Group to visit their countries so as to enable the Group to fulfil its mandate even more effectively;

16. *Expresses its profound thanks* to the many Governments that have cooperated with the Working Group and replied to its requests for information and to the Governments that have invited the Group to visit their countries, requests them to give all necessary attention to the recommendations of the Group and invites them to inform the Group of any action they take on those recommendations;

17. *Calls upon* the Commission on Human Rights to continue to study this question as a matter of priority and to take any steps it may deem necessary to the pursuit of the task of the Working Group and to the follow-up to its recommendations when it considers the report to be submitted by the Group to the Commission at its fifty-seventh session;

18. *Renews* its requests to the Secretary-General to continue to provide the Working Group with all of the facilities it requires to perform its functions, especially for carrying out missions and following them up;

19. *Requests* the Secretary-General to keep it informed of the steps he takes to secure the widespread dissemination and promotion of the Declaration;

20. *Also requests* the Secretary-General to submit to it at its fifty-seventh session a report on the steps taken to implement the present resolution;

21. *Decides* to consider the question of enforced disappearances, and in particular the implementation of the Declaration, at its fifty-seventh session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

Draft resolution XIV
Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[89] the International Covenants on Human Rights[90] and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[91]

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[89] the International Covenant on Economic, Social and Cultural Rights,[90] the International Covenant on Civil and Political Rights[90] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

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[89] Resolution 217 A (III).

[90] Resolution 2200 A (XXI), annex.

[91] A/CONF.157/24 (Part I), chap. III.

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms, as a legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

11. *Takes note* of the report of the Secretary-General,[92] and requests the Secretary-General to invite Member States to present practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights, through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on this question to the General Assembly at its fifty-sixth session;

12. *Decides* to consider this matter at its fifty-sixth session under the item entitled "Human rights questions".

[92] A/55/213 and Add.1.

Draft resolution XV
Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling also Commission on Human Rights resolution 1993/51 of 9 March 1993[93] and its subsequent resolutions in this regard,

Bearing in mind the relevant resolutions of the Commission on Human Rights concerning advisory services and technical cooperation in the field of human rights, including its most recent on that subject, resolution 2000/80 of 26 April 2000,[94]

Bearing in mind also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[95] which reiterates, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

Recalling that the World Conference recommended that more resources should be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,

Reaffirming that regional arrangements play a fundamental role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments, and their protection,

Noting the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organizations,

Considering that cooperation between the United Nations and regional arrangements in the field of human rights continues to be both substantive and supportive and that possibilities exist for increased cooperation,

1. *Takes note with satisfaction* of the report of the Secretary-General on regional arrangements for the promotion and protection of human rights;[96]

2. *Welcomes* the continuing cooperation and assistance of the Office of the United Nations High Commissioner for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, in particular through technical cooperation which is aimed at national capacity-building, public information and education, with a view to exchanging information and experience in the field of human rights;

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[93] See *Official Records of the Economic and Social Council, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[94] Ibid., *2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

[95] A/CONF.157/24 (Part I), chap. III.

[96] A/55/279.

3. *Also welcomes*, in that respect, the close cooperation of the Office of the High Commissioner in the organization of regional and subregional training courses and workshops in the field of human rights, high-level governmental expert meetings and regional conferences of national human rights institutions, aimed at creating greater understanding in the regions of issues concerning the promotion and protection of human rights, improving procedures and examining the various systems for the promotion and protection of universally accepted human rights standards, and identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them;

4. *Recognizes* therefore, that progress in promoting and protecting all human rights depends primarily on efforts made at the national and local levels and that the regional approach should imply intensive cooperation and coordination with all partners involved;

5. *Stresses* the importance of the programme of technical cooperation in the field of human rights, renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations under this programme of organizing information or training courses at the national level for government personnel on the application of international human rights standards and the experience of relevant international bodies, and notes with satisfaction, in that respect, the establishment of technical cooperation projects with Governments of all regions;

6. *Welcomes* the growing exchanges between the United Nations and the bodies created by the United Nations in accordance with the treaties dealing with human rights, on the one hand, and regional intergovernmental organizations, such as the Council of Europe, the Organization for Security and Cooperation in Europe, the Inter-American Commission on Human Rights and the African Commission on Human and Peoples' Rights, on the other;

7. *Also welcomes* the appointment by the High Commissioner of four human rights personalities to serve as regional advisors, who will play a significant role in the promotion of human rights and human rights advocacy through the design of strategies and development of partnerships for human rights, facilitate coordination of human rights technical cooperation in the region and assist regional cooperation at large, for example, among national institutions, parliamentary human rights bodies, bar associations and non-governmental organizations;

8. *Recalls* in this regard the positive experience of the regional presence in southern Africa, which will serve as guidance in the development of the regional approach of the Office of the High Commissioner for Human Rights;

9. *Notes with interest* the programme for Africa of the Office of the High Commissioner and the objective of strengthening cooperation between the Office and the Organization of African Unity with a view to reviewing, on a regular basis, needs in the area of human rights in the various subregions;

10. *Also notes with interest* the further developments in the implementation of the Framework for Regional Technical Cooperation for the Asia-Pacific Region which is enhancing technical cooperation in the promotion and protection of human rights in the region;

11. *Further notes with interest* the Quito Framework for Technical Cooperation in the Field of Human Rights as a basis for the regional strategy of the Office of the High Commissioner, aimed at strengthening national capacities for the promotion of human rights in Latin America and the Caribbean;

12. *Welcomes* the continued cooperation between the Office of the High Commissioner and regional organizations in Europe and Central Asia, in particular the development, as a priority, of a regional approach to preventing trafficking in persons;

13. *Invites* States in areas in which regional arrangements in the field of human rights do not yet exist to consider concluding agreements, with a view to establishing, within their respective regions, suitable regional machinery for the promotion and protection of human rights;

14. *Requests* the Secretary-General, as foreseen in programme 19 (Human rights) of the medium-term plan for the period 1998-2001, to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights and to make available adequate resources from within the regular budget of technical cooperation to the activities of the Office of the High Commissioner to promote regional arrangements;

15. *Requests* the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the various regions under the programme of technical cooperation and to make, where necessary, relevant recommendations;

16. *Requests* the Secretary-General to submit to the General Assembly at its fifty-seventh session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution;

17. *Decides* to consider this question further at its fifty-seventh session.

Draft resolution XVI
Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[97] the International Covenant on Civil and Political Rights,[98] the International Covenant on Economic, Social and Cultural Rights,[98] and other human rights instruments adopted by the United Nations,

Considering the relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[99] and of the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development, adopted by the World Summit

[97] Resolution 217 A (III).
[98] Resolution 2200 A (XXI), annex.
[99] A/CONF.157/24 (Part I), chap. III.

on 12 March 1995,[100] and the outcome document of the twenty-fourth special session of the General Assembly entitled: "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", adopted at Geneva on 1 July 2000,[101]

Recalling its resolutions 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, 48/183 of 21 December 1993, by which it proclaimed 1996 the International Year for the Eradication of Poverty, 50/107 of 20 December 1995, by which it proclaimed the first United Nations Decade for the Eradication of Poverty (1997-2006), 51/97 of 12 December 1996 on human rights and extreme poverty, 52/193 of 18 December 1997, in which it emphasized the follow-up to the Decade, and 53/146 of 9 December 1998 on human rights and extreme poverty,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the understanding, promotion and protection of all human rights,

Recalling further its resolution 54/232 of 22 December 1995, in which it expressed its deep concern that the number of people living in extreme poverty continues to increase, with women and children constituting the majority and the most affected group,

Bearing in mind Commission on Human Rights resolutions 1992/11 of 21 February 1992,[102] 1993/13 of 26 February 1993,[103] 1994/12 of 25 February 1994,[104] 1995/16 of 24 February 1995,[105] 1996/10 of 11 April 1996,[106] 1997/11 of 3 April 1997,[107] 1998/25 of 17 April 1998,[108] 1999/26 of 26 April 1999,[109] and resolution 2000/12 of 17 April 2000,[110] as well as resolution 1996/23 of 29 August 1996 of the Subcommission on Prevention of Discrimination and Protection of Minorities,[111]

Recalling its resolution 47/134 of 18 December 1992, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and stressed the need for a complete and in-depth study of extreme poverty, based on the experience and the thoughts of the poorest people,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies through decisive national action and international cooperation,

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[100] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. IU, resolution 1, annexes I and II.

[101] Resolution S-24/2, annex.

[102] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[103] Ibid., 1993, *Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[104] Ibid., 1994, *Supplement No. 4* and corrigendum (E/1994/23 and Corr.1), chap. II, sect. A.

[105] Ibid., 1995, *Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[106] Ibid., 1996, *Supplement No. 3* (E/1996/23), chap. II, sect. A.

[107] Ibid., 1997, *Supplement No. 3* (E/1997/23), chap. II, sect. A.

[108] Ibid., 1998, *Supplement No. 3* (E/1998/23), chap. II, sect. A.

[109] Ibid., 1999, *Supplement No. 3* (E/1999/23), chap. II, sect. A.

[110] Ibid., 2000, *Supplement No. 3* (E/2000/23), chap. II, sect. A.

[111] See E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. II, sect. A.

Reaffirming that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Recalling the United Nations Millennium Declaration,[112]

Noting with satisfaction the interim and progress reports[113] submitted to the Commission on Human Rights by the independent expert on the question of human rights and extreme poverty and the recommendations contained therein,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Reaffirms also* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty, and for people living in poverty and vulnerable groups to be empowered to organize themselves and to participate in all aspects of political, economic and social life, in particular the planning and implementation of policies that affect them thus, enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions and, in this context, reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Recognizes* that surmounting extreme poverty constitutes an essential means to the full enjoyment of political, civil, economic, social and cultural rights, and reaffirms the interrelationship among these goals;

5. *Reaffirms* that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

6. *Reaffirms also* the commitments on development and poverty eradication contained in the United Nations Millennium Declaration;[112]

7. *Invites* the United Nations High Commissioner for Human Rights, within the framework of the implementation of the United Nations Decade for the Eradication of Poverty, to continue to give appropriate attention to the question of human rights and extreme poverty;

8. *Notes with appreciation* the specific actions taken by the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization to mitigate the effects of extreme poverty on children and the efforts of the United Nations Development Programme to give priority to the search for some means of alleviating poverty within the framework of the relevant resolutions, and urges them to continue this work;

9. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations

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[112] Resolution 55/2.

[113] E/CN.4/1999/48 and E/CN.4/2000/52.

Development Programme, intergovernmental organizations and non-governmental organizations to continue to give appropriate attention to the links between human rights and extreme poverty;

10. *Decides* to consider this question further at its fifty-seventh session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

Draft resolution XVII
Promotion of a democratic and equitable international order

The General Assembly,

Noting the adoption by the Commission on Human Rights of its resolution 2000/62 of 26 April 2000,[114]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[115] can be fully realized,

Also reaffirming the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Considering the major changes taking place on the international scene and the aspirations of all the peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights

[114] See *Official Records of the Economic and Social Council, Supplement No. 3* (E/2000/23), chap. II, sect. A.

[115] Resolution 217 A (III).

and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Also considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Emphasizing that democracy is not only a political concept but also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Underlining that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and economies in transition and are formulated and implemented with their effective participation,

Resolved on the eve of a new century and millennium to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full respect and realization of all human rights for all;

3. *Further affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The promotion of an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) Solidarity, as a fundamental value, by virtue of which global challenges must be managed in a way that distributes costs and burdens fairly in accordance with basic principles of equity and social justice and ensures that those who suffer or who benefit the least receive help from those who benefit the most;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

(h) The principle of equitable regional and gender-balanced representation in the composition of the staff of all personnel within the United Nations system;

(i) The promotion of a free, just, effective and balanced international information and communication order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular, correcting the inequalities in the flow of information to and from developing countries;

(j) The respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural background, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(k) The entitlement of every person and all peoples to a healthy environment for everyone;

(l) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(m) The enjoyment by everyone of the common heritage of mankind,

4. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds in the enhancement of international cooperation in the field of human rights;

5. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

6. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective

disarmament measures are used for comprehensive development, in particular that of the developing countries;

7. *Recalls* the proclamation by the General Assembly of the determination to work urgently for the establishment of a new international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries, and ensure steadily accelerating economic and social development and peace and justice for present and future generations;[116]

8. *Reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

9. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

10. *Requests* the Commission on Human Rights, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to pay due attention, within their respective mandates, to the present resolution and to make contributions for its implementation;

11. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations and to disseminate it on the widest possible basis;

12. *Decides* to continue consideration of the matter at its fifty-sixth session under the item entitled "Human rights questions".

Draft resolution XVIII
The right to development

The General Assembly,

Guided by the Charter of the United Nations, expressing in particular the determination to promote social progress and better standards of life in larger freedom and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Recalling that the Declaration on the Right to Development[117] confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals, who make up nations,

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[116] Resolution 3201 (S-VI).

[117] Resolution 41/128, annex.

Noting that the World Conference on Human Rights reaffirmed the right to development as a universal and inalienable right and an integral part of all fundamental human rights,[118]

Recognizing that the Declaration on the Right to Development constitutes an integral link between the Universal Declaration of Human Rights[119] and the Vienna Declaration and Programme of Action adopted in June 1993[118] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights,

Expressing its concern that, more than fifty years after the adoption of the Universal Declaration of Human Rights, the unacceptable situation of absolute poverty, hunger, disease, lack of adequate shelter, illiteracy and hopelessness remains the lot of over one billion people,

Emphasizing that the promotion, protection and realization of the right to development are an integral part of the promotion and protection of all human rights,

Noting that the human person is the central subject of development and that development policy should therefore make the human being the main participant and beneficiary of development,

Stressing the importance of creating an economic, political, social, cultural and legal environment that will enable people to achieve social development,

Affirming the need to apply a gender perspective in the implementation of the right to development, inter alia, by ensuring that women play an active role in the development process,

Emphasizing that the empowerment of women and their full participation on the basis of equality in all spheres of society is fundamental for development,

Underlining the fact that realization of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Welcoming in this regard the adoption by the General Assembly of the Agenda for Development,[120] which declares that development is one of the main priorities of the United Nations and which aims at invigorating a renewed and strengthened partnership for development, based on the imperatives of mutual benefits and genuine interdependence,

Noting with concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

Recalling the need for coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

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[118] A/CONF.157/24 (Part I), chap. III.
[119] Resolution 217 A (III).
[120] Resolution 51/240, annex.

Underlining the important role of the United Nations High Commissioner for Human Rights in the promotion and protection of the right to development, as mandated in paragraph 4 (c) of General Assembly resolution 48/141 of 20 December 1993,

Recalling its resolution 54/175 of 17 December 1999,

Recalling Commission on Human Rights resolution 2000/5 of 13 April 2000,[121]

Welcoming the report of the Intergovernmental Group of Experts on the Right to Development on its second session,[122] including the proposed strategy contained therein, and welcoming in particular the recommendation that a follow-up mechanism should be established to ensure promotion and implementation of the Declaration on the Right to Development,

1. *Reaffirms* the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of their fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;

2. *Recognizes* that the passage of more than fifty years since the adoption of the Universal Declaration of Human Rights demands the strengthening of efforts to place all human rights and, in this context, the right to development in particular, at the top of the global agenda;

3. *Reiterates* that:

(a) The essence of the right to development is the principle that the human person is the central subject of development and that the right to life includes within its existence in human dignity the minimum necessities of life;

(b) The existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

(c) For peace and stability to endure, national action and international action and cooperation are required to promote a better life for all in larger freedom, a critical element of which is the eradication of poverty;

4. *Reaffirms* that democracy, development and respect for human rights and fundamental freedoms, including the right to development, are interdependent and mutually reinforcing, and in this context affirms that:

(a) The development experiences of countries reflect differences with regard to both progress and setbacks, and that the development spectrum has a wide range, not only between countries but also within countries;

(b) A number of developing countries have experienced rapid economic growth in the recent past and have become dynamic partners in the international economy;

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[121] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. III, sect. A.

[122] E/CN.4/1998/29.

(c) At the same time, the gap between developed and developing countries remains unacceptably wide and developing countries continue to face difficulties in participating in the globalization process, and many risk being marginalized and effectively excluded from its benefits;

(d) Democracy, which is spreading everywhere, has raised development expectations everywhere, that their non-fulfilment risks rekindling non-democratic forces, and that structural reforms that do not take social realities into account could destabilize democratization processes;

(e) Effective popular participation is an essential component of successful and lasting development;

(f) Democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development;

(g) The participation of developing countries in the international economic decision-making process needs to be broadened and strengthened;

5. *Urges* all States to eliminate all obstacles to development at all levels by pursuing the promotion and protection of economic, social, cultural, civil and political rights, implementing comprehensive development programmes at the national level, integrating those rights into development activities and promoting effective international cooperation;

6. *Reaffirms* that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured;

7. *Affirms* that international cooperation is acknowledged more than ever as a necessity deriving from recognized mutual interest and, therefore, that such cooperation should be strengthened in order to support the efforts of developing countries to solve their economic and social problems and to fulfil their obligations to promote and protect all human rights;

8. *Welcomes* the intention of the Secretary-General to give high priority to the right to development, and urges all States to promote further the right to development as a vital element in a balanced human rights programme;

9. *Also welcomes* the high priority assigned by the United Nations High Commissioner for Human Rights to activities relating to the right to development, and urges the Office of the High Commissioner to continue implementing Commission on Human Rights resolution 1998/72 of 22 April 1998;[123]

10. *Further welcomes* Economic and Social Council decision 1998/269 authorizing the establishment by the Commission on Human Rights of a follow-up mechanism, consisting of an open-ended working group on the right to development and an independent expert with a mandate to present to the working group at each of its sessions a study on the current state of progress in the implementation of the right to development, as provided for in Commission resolution 1998/72;

[123] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. III, sect. A.

11. *Welcomes* the holding at Geneva from 18 to 22 September 2000 of the first session of the Working Group on the Right to Development under the chairmanship of Ambassador M. S. Dembri (Algeria), and encourages the Working Group to proceed with its second session, scheduled for January 2001;

12. *Takes note* of the coordination mechanisms and initiatives within the United Nations system in which the Office of the United Nations High Commissioner for Human Rights participates to promote the implementation of the right to development;

13. *Also takes note* of the second report of the independent expert on the right to development,[124] which focuses on poverty eradication as a priority area requiring attention in the realization of the right to development;

14. *Further takes note* of the *Human Development Report 2000* of the United Nations Development Programme[125] and the *World Development Report 2000/2001: Attacking Poverty* of the World Bank,[126] which cover issues relevant to human rights and the right to development, and welcomes the participation in the Working Group on the Right to Development of representatives of international financial institutions, as well as that of relevant United Nations specialized agencies, funds and programmes and non-governmental organizations, in accordance with relevant resolutions of the Economic and Social Council;

15. *Invites* the United Nations High Commissioner for Human Rights to submit a report to the Commission on Human Rights each year for the duration of the mechanism, to provide interim reports to the Working Group on the Right to Development and to make those reports available to the independent expert on the right to development, in each case covering:

(a) The activities of her Office relating to the implementation of the right to development, as contained in her mandate;

(b) The implementation of resolutions of the General Assembly and the Commission with regard to the right to development;

(c) Inter-agency coordination within the United Nations system for the implementation of relevant resolutions of the Commission in that regard;

16. *Urges* the United Nations system to continue to support the implementation of the recent resolutions of the Commission on Human Rights regarding the right to development;

17. *Calls upon* the Secretary-General to ensure that the Working Group on the Right to Development and the independent expert on the right to development receive all necessary assistance, in particular the staff and resources required to fulfil their mandates;

18. *Calls upon* the Working Group on the Right to Development to take note of the deliberations on the right to development during the fifty-fifth session of the General Assembly and the fifty-sixth session of the Commission on Human Rights and any other issue relevant to the right to development;

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[124] A/55/306, annex.

[125] United Nations publication, Sales No. E.00.III.B.8.

[126] New York, Oxford University Press, 2000.

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-sixth session and to the Commission on Human Rights at its fifty-seventh session a comprehensive report on the implementation of the various provisions of the present resolution;

20. *Decides* to continue consideration of this question, as a matter of priority, at its fifty-sixth session.

Draft resolution XIX
Enhancement of international cooperation in the field of human rights

The General Assembly,

Recalling its resolution 54/181 of 17 December 1999 and Commission on Human Rights resolution 2000/70 of 26 April 2000[127] on the enhancement of international cooperation in the field of human rights, as well as General Assembly resolution 54/113 of 10 December 1999 on the United Nations Year of Dialogue among Civilizations,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[128] for enhancing genuine cooperation among Member States in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, and underlining the importance of the promotion of dialogue on human rights issues,

Reaffirming also that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, in particular, international cooperation,

Underlining that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all the activities for the promotion and protection of human rights,

Noting the adoption of resolution 1999/25 of 26 August 1999, entitled "Promotion of dialogue on human rights issues", by the Subcommission on the Promotion and Protection of Human Rights of the Commission on Human Rights at

[127] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

[128] A/CONF.157/24 (Part I), chap. III.

its fifty-first session,[129] and noting its consideration of the question of a dialogue among civilizations at its fifty-second session,

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Considers* that international cooperation in this field, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and of fundamental freedoms for all;

3. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

4. *Calls upon* Member States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

5. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

6. *Decides* to continue its consideration of this question at its fifty-sixth session.

Draft resolution XX
Human rights and unilateral coercive measures

The General Assembly,

Recalling its resolutions 51/103 of 12 December 1996, 52/120 of 12 December 1997, 53/141 of 9 December 1998 and 54/172 of 17 December 1999, and taking note of Commission on Human Rights resolutions 1998/11 of 9 April 1998[130] and 2000/11 of 17 April 2000,[131]

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

[129] See E/CN.4/2000/2-E/CN.4/Sub.2/1999/54, chap. II, sect. A.

[130] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[131] Ibid., *2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

Taking note of the report submitted by the Secretary-General,[132] pursuant to Commission on Human Rights resolution 1995/45 of 3 March 1995,[133] and the report of the Secretary-General on the implementation of General Assembly resolution 52/120,[134]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral coercive measures not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[135]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[136] the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[137] and the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the United Nations Conference for Human Settlements (Habitat II) on 14 June 1996,[138]

Expressing its concern about the negative impact of unilateral coercive measures in the field of international relations, trade, investment and cooperation,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly and recent major United Nations conferences and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Noting the continuing efforts of the Working Group on the Right to Development of the Commission on Human Rights, and reaffirming in particular its

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[132] A/55/214 and Add.1.

[133] See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[134] A/53/293 and Add.1.

[135] See A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

[136] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[137] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[138] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

criteria according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[139]

1. *Urges* all States to refrain from adopting or implementing any unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[140] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Invites* all States to consider adopting administrative or legislative measures, as appropriate, to counteract the extraterritorial application or effects of unilateral coercive measures;

3. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

4. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest time possible;

5. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

6. *Urges* the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including the enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

7. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

8. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its fifty-sixth session, highlighting the practical and preventive measures in this respect;

9. *Decides* to examine this question on a priority basis at its fifty-sixth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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[139] Resolution 41/128, annex.

[140] Resolution 217 A (III).

Draft resolution XXI
Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights,[141] which guarantees the right to life, liberty and security of person, and the relevant provisions of the International Covenant on Civil and Political Rights,[142]

Recalling also its resolutions 47/136 of 18 December 1992, 51/92 of 12 December 1996 and 53/147 of 9 December 1998, as well as Commission on Human Rights resolution 1992/72 of 5 March 1992,[143] and taking note of Commission resolutions 1998/68 of 21 April 1998[144] and 2000/31 of 20 April 2000,[145]

Recalling further Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto and Council resolution 1989/64 of 24 May 1989 on their implementation, as well as the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the General Assembly in its resolution 40/34 of 29 November 1985,

Deeply alarmed at the persistence, on a large scale, of extrajudicial, summary or arbitrary executions in all parts of the world,

Dismayed that in a number of countries impunity, the negation of justice, continues to prevail and often remains the main cause of the continuing occurrence of extrajudicial, summary or arbitrary executions in those countries,

Recognizing the contribution of the establishment of the International Criminal Court with regard to ensuring effective prosecution concerning executions in serious violation of article 3 common to the four Geneva Conventions of 12 August 1949,[146] without previous judgement pronounced by a regularly constituted court affording all judicial guarantees that are generally recognized as indispensable,

Convinced of the need for effective action to combat and to eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent a flagrant violation of the fundamental right to life,

1. *Strongly condemns once again* all the extrajudicial, summary or arbitrary executions that continue to take place throughout the world;

2. *Notes* that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions;

3. *Acknowledges* the historic significance of the adoption of the Rome Statute of the International Criminal Court,[147] and the fact that a significant number

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[141] Resolution 217 A (III).
[142] See resolution 2200 A (XXI), annex.
[143] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.
[144] Ibid., *1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.
[145] Ibid., *2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.
[146] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[147] A/CONF.183/9.

of States have already signed and/or ratified the Statute, and calls upon all States to consider signing and ratifying the Statute;

4. *Demands* that all Governments ensure that the practice of extrajudicial, summary or arbitrary executions be brought to an end and that they take effective action to combat and eliminate the phenomenon in all its forms;

5. *Takes note* of the interim report of the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions,[148] including the attention given therein to various aspects and situations involving violations of the right to life by extrajudicial, summary or arbitrary executions;

6. *Reiterates* the obligation of all Governments to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, to identify and bring to justice those responsible, while ensuring the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law, to grant adequate compensation to the victims or their families and to adopt all necessary measures, including legal and judicial measures in order to bring an end to impunity, to prevent the recurrence of such executions;

7. *Calls upon* Governments concerned to investigate promptly and thoroughly cases in various parts of the world of killings committed in the name of passion or in the name of honour, persons killed for reasons related to their peaceful activities as human rights defenders or as journalists, racially motivated violence leading to the death of the victim as well as other persons whose right to life has been violated, and to bring those responsible to justice before an independent and impartial judiciary, and to ensure that such killings are neither condoned nor sanctioned by government officials or personnel;

8. *Urges* Governments to undertake all necessary and possible measures to prevent loss of life, in particular that of children, during public demonstrations, internal and communal violence, civil unrest and public emergencies or armed conflict, and to ensure that the police and security forces receive thorough training in human rights matters, in particular with regard to restrictions on the use of force and firearms in the discharge of their functions;

9. *Stresses* the importance for States to take effective measures to end impunity with regard to extrajudicial, summary or arbitrary executions inter alia through the adoption of preventive measures, and calls upon Governments to ensure that such measures are included in post-conflict peace-building efforts;

10. *Encourages* the Special Rapporteur to continue, within the framework of her mandate, to collect information from all concerned and to seek the views and comments of Governments so as to be able to respond effectively to reliable information that comes before her and to follow up communications and country visits;

11. *Reaffirms* Economic and Social Council decision 1998/265 of 30 July 1998, in which the Council endorsed the decision of the Commission on Human Rights, in its resolution 1998/68, to extend the mandate of the Special Rapporteur for three years;

[148] A/55/288, annex.

12. *Notes* the important role the Special Rapporteur has played towards the elimination of extrajudicial, summary or arbitrary executions;

13. *Also notes* that the Commission, in its resolution 2000/31, requested the Special Rapporteur, in carrying out her mandate:

(a) To continue to examine situations of extrajudicial, summary or arbitrary executions and to submit her findings on an annual basis, together with conclusions and recommendations, to the Commission, as well as such other reports as the Special Rapporteur deems necessary in order to keep the Commission informed about serious situations of extrajudicial, summary or arbitrary executions that warrant its immediate attention;

(b) To respond effectively to information that comes before her, in particular when an extrajudicial, summary or arbitrary execution is imminent or seriously threatened or when such an execution has occurred;

(c) To enhance further her dialogue with Governments, as well as to follow up recommendations made in reports after visits to particular countries;

(d) To continue to pay special attention to extrajudicial, summary or arbitrary executions of children and to allegations concerning violations of the right to life in the context of violence against participants in demonstrations and other peaceful public manifestations or against persons belonging to minorities;

(e) To pay special attention to extrajudicial, summary or arbitrary executions where the victims are individuals carrying out peaceful activities in defence of human rights and fundamental freedoms;

(f) To continue monitoring the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment, bearing in mind the comments made by the Human Rights Committee in its interpretation of article 6 of the International Covenant on Civil and Political Rights,[148] as well as the Second Optional Protocol thereto;[149]

(g) To apply a gender perspective in her work;

14. *Strongly urges* all Governments, in particular those that have not yet done so, to respond without undue delay to the communications and requests for information transmitted to them by the Special Rapporteur, and urges them and all others concerned to cooperate with and assist the Special Rapporteur so that she may carry out her mandate effectively, including, where appropriate, by issuing invitations to the Special Rapporteur when she so requests;

15. *Expresses its appreciation* to those Governments that have invited the Special Rapporteur to visit their countries, asks them to examine carefully the recommendations made by the Special Rapporteur, invites them to report to the Special Rapporteur on the actions taken on those recommendations, and requests other Governments to cooperate in a similar way;

16. *Encourages* Governments, international organizations and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials, as well as members of United Nations peacekeeping or

[149] Resolution 44/128, annex.

observer missions, in human rights and humanitarian law issues connected with their work, and appeals to the international community to support endeavours to that end;

17. *Urges* the Special Rapporteur to continue to draw to the attention of the United Nations High Commissioner for Human Rights such situations of extrajudicial, summary or arbitrary executions as are of particularly serious concern to her or where early action might prevent further deterioration;

18. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures relating to human rights, as well as with medical and forensic experts, and encourages the Special Rapporteur to continue efforts in this regard;

19. *Calls upon* the Governments of all States in which the death penalty has not been abolished to comply with their obligations under relevant provisions of international human rights instruments, keeping in mind the safeguards and guarantees referred to in Economic and Social Council resolutions 1984/50 and 1989/64;

20. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appears not to have been respected;

21. *Requests* the Secretary-General to provide the Special Rapporteur with an adequate and stable level of human, financial and material resources to enable her to carry out her mandate effectively, including through country visits;

22. *Also requests* the Secretary-General to continue, in close collaboration with the United Nations High Commissioner for Human Rights, in conformity with the High Commissioner's mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in human rights and humanitarian law issues form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

23. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its fifty-seventh session on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and her recommendations for more effective action to combat that phenomenon.